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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (III) PART II—Section 3—Sub-section (III)

(संघ राज्य क्षेत्र प्रशासनों को छोड़कर) केन्द्रीय अधिकारियों द्वारा जारी किए गए आदेश और अधिसूचनाएं
Orders and Notifications issued by Central Authorities (other than Administrations of Union
Territories)

भारत निर्वाचन आयोग

आदेश

नई दिल्ली, 7 अप्रैल, 1986

प्र. प्र. 83.—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट राजस्थान विधान सभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसको सामने विनिर्दिष्ट निर्वाचन लड़ने वाले प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तख्तों बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त अपने निर्वाचन व्ययों का लेखा दाखिल करने में अथवा समय के अन्दर और/अथवा रीति से लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हों, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई प्रभावी कारण या व्यायोजित नहीं है;

धन: प्रत्येक निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के या किसी राज्य/संघ राज्य क्षेत्र के विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निर्वाचित घोषित करता है।

सारणी

क्र. सं. निर्वाचन का विवरण	निर्वाचन-क्षेत्र की क्र. सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निर्वाचन का कारण
1	2	3	4
1. राजस्थान विधान सभा का साधारण निर्वाचन, 1985	120—अ (प्र. प्र.)	श्री राज माल, नागेश्वर उन्हेल, तहसील गंगधर, जिला झालावाड़	विधि द्वारा अपेक्षित समय के अन्दर और रीति से लेखा दाखिल करने में असफल रहे।

1	2	3	4	5
2.	राजस्थान विधान सभा का साधारण निर्वाचन, 1985	80—करोली	श्री राम स्वल्प, सक्की मण्डी, करोली, जिला भवाई माधोपुर, राजस्थान ।	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे ।
3.	—वही—	—वही—	श्री समिस्ता, बजीरपुर दरवाजा, करोली, जिला भवाई माधोपुर, राजस्थान ।	—वही—
4.	—वही—	167—सिरोही	श्री कपूरा राम, गांव बरलीट, तहसील सिरोही, जिला सिरोही, राजस्थान ।	—वही—
5.	—वही—	—वही—	श्री धवानी सिंह, पिलारी (एम), तहसील—शींगंज, जिला सिरोही, राजस्थान ।	विधि द्वारा अपेक्षित रीति से लेखा दा- खिल करने में असफल रहे ।
6.	—वही—	175—सिवाना (प्र.जा.)	श्री जगमाल, गांव बमसीन, पोस्ट मोंगरा, जिला बाड़मेर, राजस्थान	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे ।
7.	—वही—	—वही—	श्री घारा राम, जाटिया का बास, सामावारी, जिला बाड़मेर, राजस्थान ।	—वही—
8.	—वही—	60—तिजारा	श्री गोरी लाल, कायस्थ बाड़ी, तिजारा, जिला झलवर, राजस्थान ।	—वही—
9.	—वही—	62—रामगढ़	श्री फट्टी खान, गांव भैसदावत, डाकखाना सोमला खूब, उप-तहसील गोविन्दगढ़, जिला झलवर, राजस्थान ।	—वही—
10.	—वही—	63—झलवर	श्री हरजीत सिंह, 265, साजपत नगर, झलवर, राजस्थान ।	—वही—
11.	—वही—	64—बानागाजी	श्री राम पाल, गांव व डाकखाना नंगल बाणी, तहसील बानागाजी, जिला झलवर, राजस्थान ।	—वही—
12.	—वही—	66—लछमनगढ़	श्री मुन्शी, गांव शरोडा, डाकखाना हृत्नाडा, जिला भरतपुर, राजस्थान ।	—वही—
13.	—वही—	—वही—	श्री मोहन लाल मीना, गांव और डाकखाना लछमनगढ़, जिला झलवर, राजस्थान ।	—वही—
14.	—वही—	67—कटूमर (प्र.जा.)	श्री भवाई, सुपुल प्रमाती, गांव बरीयल, डाकखाना मसारी, जिला झलवर, राजस्थान ।	—वही—
15.	—वही—	162—खारपी	श्री बलपत सिंह, गांव पदमपुरा, डाकखाना डालोप, तहसील देसूरी, जिला पाली, राजस्थान ।	—वही—
16.	—वही—	194—डीडवाना	श्री साविक, गांव और डाकखाना बलिया, तहसील डीडवाना, जिला नागौर, राजस्थान ।	अपेक्षित रीति से लेखा दाखिल करने असफल रहे ।

ELECTION COMMISSION OF INDIA

ORDER

New Delhi, the 7th April, 1986

O.N. 83.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Rajasthan Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses or failed to lodge the account within the time and/or in the manner, as shown in column (5) of the said Table as re-

quired by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this Order :

S. No.	Particulars of Election	Sr. No. and name of constituency	Name and address of the Candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to Rajasthan Legislative Assembly, 1985.	120—Dag	Shri Ram Lal, Nigashwar Uoh 1, Tehsil Gangadhar, Distt : Jhlawar.	Failed to lodge the account within time and in the manner required by law.
2.	—do—	89—Kerauli	Shri Ram Swaroop, Dubzi Mandi, Kerauli, Distt : Sawai Madhopur (Raj).	Failed to lodge any account of election expenses.
3.	—do—	—do—	Shri Sanjaya, Wazirpur Darwaza, Kerauli, Distt. Sawai Madhopur (Raj).	—do—
4.	—do—	167—Sirohi	Shri Kapoor Ram, Village Barlet, Tehsil Sirohi, Distt. Sirohi (Raj).	—do—
5.	—do—	—do—	Shri Bhawani Singh, Pilari (M), Tehsil Shergaji, Distt. Sirohi (Raj).	Failed to lodge the account in the manner required by law.
6.	—do—	175—Siwana	Shri Jagmal, Vill. Banoosen, Post Mongra, Distt: Bannar (Raj).	Failed to lodge any account of election expenses.
7.	—do—	—do—	Shri Dhara Ram, Jatiya Ka Bas, Samadari, Distt : Bannar.	—do—
8.	—do—	50—Tijara	Shri Gauri Lal, Kayasthwadi, Tijara, Distt : Alwar (Raj).	—do—
9.	—do—	62—Ramgarh	Shri Fatti Khan, Vill : Bainsdawat, P.O. Saml : Khurd, Sub-Tehsil Govindgarh, Distt : Alwar (Raj).	Failed to lodge any account of election expenses.
10.	—do—	63—Alwar	Shri Harjett Singh, 265, Lajpat Nagar, Alwar (Raj).	—do—
11.	—do—	64—Thanagazi	Shri Ram Pal, VPO Nungal Bani, Tehsil Thanagazi, Distt : Alwar.	—do—
12.	—do—	66—Lachhman garh	Shri Munshi, Vill : Aroda, P.O. Hantla, Distt : Bharatpur.	—do—
13.	—do—	—do—	Shri Mohan Lal Meena, V&P.O. Lachhman garh, Distt. Alwar (Raj).	—do—
14.	—do—	67—Kathumar (SC)	Shri Bhadai, S/o. Prabhati, Vill : Bhadithal, P.O. Masari, Distt : Alwar (Raj).	—do—
15.	—do—	162—Kiarahi	Shri Delpat Singh, Vill : Pulampara, P.O. Dhalop, Tehsil Desuri, Distt : Pali (Raj).	—do—
16.	—do—	191—Doddwana	Shri Sadiq, V&P.O. Balia, Tehsil Doddwana, Distt : Nagaur (Raj).	Failed to lodge the account in the manner required.

भा. भा. 84 निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट लोक सभा निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से चुना है, स्तम्भ (4) में उनके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्विन बनाए गए नियमों द्वारा प्रपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उल्लिखित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा है ;

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रपत्रा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या खोखलियाँ नहीं हैं ;

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10—क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रपत्रा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन का विवरण	संबंधित निर्वाचन क्षेत्र की क्र.सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरहिता का कारण
1	2	3	4	5
1.	लोकसभा का साधारण निर्वाचन, 1984 (महाराष्ट्र राज्य)	4—बम्बई दक्षिण	श्री बलदेव विस्तर गिल, 110—स्पल्लेड मैशन, फाला घोडा, बम्बई—400023.	विधि द्वारा अपेक्षित समय के अन्दर और रीति से निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।
2.	—बही—	6—बम्बई (उत्तर-मध्य)	श्री सुखदेव सिंह भीत सिंह उद्योग, प्रिल्डिंग नं. 8—ए, नं. 357, क्रोसावाडा कालोनी, गुरु तेग बहादुर नगर, बम्बई—400037.	बही
3.	—बही—	7—बम्बई (उत्तर-पूर्व)	श्री मलिक नवाब, 21—बी, नूर मंजिल, ए-34, लाल बहादुर शास्त्री मार्ग, कुरला (बम्बई) बम्बई-400070.	विधि द्वारा अपेक्षित रीति से निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।
4.	—बही—	12—मासिक	श्री जनेश्वर भट्टराजी भवहय, जोशेर भवन, ब्लॉक नं.—8, मासिक रोड (महाराष्ट्र)	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
5.	लोकसभा का साधारण निर्वाचन, 1984 (महाराष्ट्र राज्य)	13—मालेगांव (प्र.ज.आ.)	श्री सोनवने रवासा जैमल, स्पान, काशत, पोस्ट बबेल, ता.मुका मालेगांव, जिला नासिक (महाराष्ट्र)	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
6.	—बही—	42—पूणे	श्री कमोबिया कृष्णकुमार, मोतीलाल नगर, बाल नं. 29, कमरा नं. 223, गोरेगांव, बम्बई—80	—बही—

[सं. 76/ महा./६५/सो. सं.]

ORDER

O.N. 84.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the House of the People as specified in column (1) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the people Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of

the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	Sl. No. & name of the parliamentary constituency	Name & address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the House of the People, 1984 (Maharashtra State)	4- Bombay South.	Shri Baldev Mitter Gill, 110, Esplanade Mansion, Kala Ghoda, Bombay-400023.	Failed to lodge account of election expenses within the time & in the manner required by law.
2.	—do—	6-Bombay (North-Central)	Shri Sukhdev Singh Jit Singh, Udhav Building No. 8A, No. 357, Koliwada Colony, Guru Teg Bahadur Nagar, Bombay-400037.	—do—
3.	—do—	7- Bombay (North-East)	Shri Malik Nawab, 21-B, Noor Manzil, A-34, Lal Bahadur Shastri Marg, Kurla (West) Bombay-400070	Failed to lodge account of election expenses in the manner required by law.
4.	—do—	12-Nashik	Shri Zunjar Mahuji Avahad, Javor Bhavan, Block No. 9, Nashik Road (Maharashtra).	Failed to lodge any account of election expenses.
5.	—do—	13-Malegaon (ST)	Shri Sonawane Rawala Jaimal, At Kasht, post Vadel, Tq. Malegaon, District Nashik (Maharashtra)	—do—
6.	—do—	42-Pune	Shri Kanoujiya Krishnakumar, Motilal Nagar, Chawl No. 29, R.No. 223, Goregaon, Bombay-90.	—do—

[No. 76/MT/ 85 (HP)]

धाराएं

आ.प्र. 85—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट विधान सभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन क्षेत्र में हुआ है, स्तम्भ (4) में उनके सामने विनिर्दिष्ट निर्वाचन लड़ने वाले व्यक्ति अभ्यर्थी, लोकप्रतिनिधित्व अधिनियम, 1951 तथा संबंधित बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा है।

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है।

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संभव के किसी भी सदन के या किसी राज्य की विधान सभा प्रथम विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख में तीन वर्ष की कालावधि के लिए निरहिम घोषित करता है।

सारणी

क्र.सं. निर्वाचन का विवरण	विधान सभा निर्वाचन-क्षेत्र की क्र. सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरहिता का कारण
1	2	3	4
1. विधान सभा का साधारण निर्वाचन 1985 (गुजरात राज्य)	62—मण्डल	श्री शाला फते सिंह जी बन्धन सिंहजी, शांकरा धानचौ बावनी के सामने डी-34 मस्पताल, घोडरा गांव, ग्रहमबाबाद-380 068 (गुजरात)	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहा।
2. —वही—	—वही—	श्री पटेल प्रवीण भाई गोरधनभाई, शीलगांव बाबा, स्थान सोलगांव, तालुक बिरामगांव, जिला ग्रहमबाबाद (गुजरात)	—वही—

1	2	3	4	5
3.	त्रिधान सभा का साधारण निर्वाचन, 1985 (गुजरात राज्य)	66-बेहगाम	श्री नटवर भाई गन्दाभाई पटेल, डाकघर चिरकानी, तालुक देहगांव, जिला अहमदाबाद (गुजरात)	निर्वाचन व्यर्थों का कोई भी लेखा शामिल करने में असफल रहे।
4.	—वही—	—वही—	श्री पटेल नटवरभाई पाणाभाई, डाकघर चन्द्राला, तालुक देहगांव, जिला अहमदाबाद (गुजरात)	—वही—
5.	—वही—	67-साबरमती	डा. इन्दरसेन सिंह, 3, गूलन प्रकाश पार्क हाऊसिंग सोसाइटी, इण्डियन फायल रोड, श्री, केबिन, साबरमती, अहमदाबाद-380 019 (गुजरात)	—वही—
6.	—वही—	—वही—	श्री दाबी जसवंत सिंह अमर मिन्हा, 2488/5, नानाभाटवाडा शाहपुर, अहमदाबाद-380 019 (गुजरात)	—वही—
7.	—वही—	—वही—	श्री पटेल बानूभाई, सोमनाथ, 12/ए/11, केतन सोसाइटी सरदार पटेल कालोमी के पास अहमदाबाद-4 (गुजरात)	—वही—
8.	—वही—	—वही—	श्री पांडे शिवशंकर धर्मराज, बेलजीभाई कल्याण्ड'ड, अलकापुरी मोनेरा रोड, साबरमती, अहमदाबाद-5 (गुजरात)	—वही—
9.	—वही—	—वही—	श्री भारत बोरा, 4/ए, योगेश्वर सोसायटी, पंचांग टेकेरा, नवा बावज, अहमदाबाद-380 013 (गुजरात)	—वही—
10.	—वही—	—वही—	श्री रमेशभाई पंजाभाई भाकुर्या, 22, गांधीनगर सोसाइटी, जूल बावज, अहमदाबाद-13 (गुजरात)	—वही—
11.	—वही—	89-वरियापुर	श्री परमार पंजालाल वेणराम भाई, 51, बि रोहिवाम नगर सोसाइटी, चमनपुरा, अस्तर्वा, अहमदाबाद (गुजरात)	—वही—
12.	—वही—	—वही—	श्री कास्तीलाल सेन्धाभाई पटेल, धनेचिहूनि चाली, एन-8, गुजरात प्लैट शाहिगंग, अहमदाबाद (गुजरात)	—वही—
13.	—वही—	72-असरवा	श्री कालीदास नाथाभाई धनेक, कमरा नं० 265, आनन्दाजी कल्याणजी का बाल सं. 1, धरविन्द मिल्स, नरोदा रोड के सामने अहमदाबाद-25 (गुजरात)	—वही—
14.	—वही—	—वही—	श्री कीर्तिभाई लक्ष्मणलाल पटेल (विनेश भाई) 7, वर्मा सोसायटी, जार्जीबाग, अहमदाबाद-4 (गुजरात)	—वही—
15.	—वही—	—वही—	श्री चौहान जोरावर सिंह अबान सिंह, 22, मानेकनाथनगर गायत्री सोसायटी के पास नरोदा रोड, सेजपुर बोया, अहमदाबाद (गुजरात)	—वही—
16.	—वही—	—वही—	श्री राजेन्द्र एन. मेहता, प्लॉक नं. 5, कमरा नं. 70, मुर्ती म्हाटर्स, फायर ब्रिगेड के पीछे नारोवा, अहमदाबाद-25 (गुजरात)	—वही—

1	2	3	4	5
17	विधान सभा का साधारण निर्वाचन, 1985 (गुजरात राज्य)	72-अमरवा	श्री रुद्रियान मानाजी साई मोहनसाई, 17/34, न्यू तरामगर सोसाइटी, पुराने एस.एस.ए. क्वार्टर में के पास, चमनपुरा अमरवा, अहमदाबाद-16 (गुजरात)	निर्वाचन व्ययों का कोई भी लेखा वांछित करने में असफल रहे।
18.	—वही—	73-रखियास	श्री ज्ञानेश प्रभुदाम मूलजीभाई, राठेवन, तालुक मोरमाद, जिला खेड़ा (गुजरात)	—वही—
19.	—वही—	74-जेरकोट्दा (घ. भा.)	श्री काजीदाम गणेशसाई यादव, 1762/14, श्रीराम मट्ट, चान, राजपुर, अहमदाबाद-380021 (गुजरात)	—वही—
20.	—वही—	77-मनीमगर	श्रीमकवाना गानासाई विक्रमभाई, गुजरात हाऊसिंग बोर्ड ब्लॉक नं. 19, क. नं. 150, श्रीधरा मेठमेंदाबाद, रोहित मिल के पास, अहमदाबाद-8, (गुजरात)	—वही—
21.	—वही—	—वही—	शास्त्री उषायेन किरम, मारोली सूगर फैक्ट्री, मारोली, जिला वलसाड (गुजरात)	—वही—
22.	—वही—	—वही—	श्री सूर्यजंगी भगवानदास श्रीमराव, बोर्लिंग बलानी वाली, मनीमगर स्टेशन के पीछे अहमदाबाद (गुजरात)	—वही—
23.	—वही—	78-मारोया	श्री अभिचरानी भगधन तोपानदास डी. बी. जेड एन, 168, गरीबीग्रन्थ-250 201 (गुजरात)	—वही—

(सं. 76/गुज./85/(1-23) (वि.स.))

ORDER

O.N. 85:—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or of the Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S.No.	Particulars of election	Sl. No. & Name of the Assembly constituency	Name and address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Legislative Assembly, 1985 (Gujarata State)	67-Mandal	Shri Jhafa Fatsinhji Chandarsinhji, Shakra Gahanchi's Chawali Opp. D-34, Hospital, Khokhara Village, Ahmedabad-380 008 (Gujarat)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Patel Pravinbhai Gordhanbhai Sholgamwala, At Solgam, Tq. Viramgaon, District Ahmedabad (Gujarat).	-do-

1	2	3	4	5
3.	General Election to the Legislative Assembly, 1985 (Gujarat State)	66—Dehgaon	Shri Natwarbhai Candabhai Patel, Post Chirkari, Tq. Dehgaon, District Ahmedabad (Gujarat)	Failed to lodge any account of election expenses.
4.	-do-	-do-	Shri Patel Natwarbhai Pashabhai, Post Chandrala, Tq. Dehgaon, District Ahmedabad (Gujarat).	-do-
5.	-do-	67—Sabarmati	Dr. Indrasensinh, 3, Nuten Prakash Park Housing Society, Indian Oil Road, D. Cabin, Sabarmati, Ahmedabad-380019 (Gujarat)	-do-
6.	-do-	-do-	Shri Dabi Jaswantsinh Amarsinh, 2488/5, Nana Bhatwada Shahpur, Ahmedabad (Gujarat).	-do-
7.	-do-	-do-	Shri Patel Babubhai Somnath, 12/A/11, Ketan Society Near Sardar Patel Colony, Ahmedabad-4 (Gujarat).	-do-
8.	-do-	67—Sabarmati	Shri Pande Shivshankar Dharamraj, Veljibhai Compound Alkapuri, Motera Road, Sabarmati, Ahmedabad-5 (Gujarat)	-do-
9.	-do-	-do-	Shri Bharat Vora, 4/A, Yogeshwar Society, Panchal Tekera, Nava Vadaj, Ahmedabad-380013 (Gujarat)	-do-
10.	-do-	-do-	Shri Rameshbhai Punjabhai Makusua, 22, Gandhinagar Society, Junc Vadaj, Ahmedabad-13 (Gujarat)	-do-
11.	-do-	69—Daraipur	Shri Parmar Punjalal Veshrambhai, 51, the Rohidas Nagar Society, Chamanpura Asarva, Ahmedabad (Gujarat).	-do-
12.	-do-	-do-	Shri Kantilal Sindhavbhai Patel, Chanchini Chali, L-8, Sujata Flats Sahibaug, Ahmedabad (Gujarat).	-do-
13.	-do-	72—Asarva	Shri Kalidas Nathabhai Dhanek, Room No. 265, Anandji Kalyanji's Chawl, No.1, Opp. Arvind Mills, Naroda Road, Ahmedabad-25 (Gujarat)	-do-
14.	-do-	-do-	Shri Kirtibhai Chandulal Patel, (Dineshbhai), 7, Varsha Society, Shahibaug, Ahmedabad-4 (Gujarat)	-do-
15.	-do-	-do-	Shri Chauhan Joravarsinh Jawansinh, 22, Maneknathnagar Beside Gayatri Society, Naroda Road, Saijpur Bogha, Ahmedabad (Gujarat)	-do-
16.	-do-	-do-	Shri Rajendra N. Mehta, Block No. 5, Room No. 70, Muni Quarters, Behind Fire Brigade, Naroda Ahmedabad-25 (Gujarat).	-do-

1	2	3	4	5
17.	General Election to the Legislative Assembly, 1985 (Gujarat State)	72—Asrava	Shri Hadiyal Bhalajibhai Mohanbhai, 17/34, New Narannagar Society, Beside Old M.L.A. Quarters, Chamanpura Asarva, Ahmedabad-16 (Gujarat)	Failed to lodge any account of election expenses.
18.	-do-	73—Rakhial	Shri Jadav Prabhudas Muljibhai, Dahevan, Tq. Borsad, District Kheda (Gujarat)	-do-
19.	-do-	74—Shaher Kotda (SC)	Shri Kalidas Ganeshbhai Yadav, 1762/14, Jivram Bhatt, Chawl, Rajpur, Ahmedabad-380021 (Gujarat)	-do-
20.	-do-	77—Maninagar	Shri Makwana Manabhai Trikambhai, Gujarat Housing Board, Block No. 19, R.No. 150, Khokhra Mehmedabad near Rohit Mill, Ahmedabad-8 (Gujarat)	-do-
21.	-do-	-do-	Shashtri Ushaben Kiran, Marol Sugar Factory, Narol, District Valsad (Gujarat)	-do-
22.	-do-	-do-	Shri Suryavanshi Bhagwandas Bhimrao, Boring Valani Chali, Behind Maninagar Station, Ahmedabad (Gujarat)	-do-
23.	-do-	78—Naroda	Shri Abhichandani Bhagwan Topandas, D.B.E.N. 168, Gandhidham-370201 (Gujarat)	-do-

[No. 76/GJ/85/(1-23) (LA)]

आदेश

नई दिल्ली, 28 मई, 1986

प्र. प्र. 86.—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट विधान सभा के निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा लड़ने बनाए गए नियमों द्वारा प्रपेशित उक्त सारणी के स्तम्भ (5) में यथा उपरिष्ठित अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है;

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रपेशा स्पष्टीकरण नहीं दिया है या उसके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या म्यादोचित नहीं है:

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रथम विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्र.सं. निर्वाचन का विवरण	विधान सभा निर्वाचन क्षेत्र की क्रम सं. और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निराहता का कारण
1	2	3	4
1. महाराष्ट्र विधान सभा का साधारण निर्वाचन, 1985	23-ओपेरा हाउस	श्री बलीराम जी. यादव, शिवपुरी हिल नं.-2, नारायण नगर, नारी सेवा सदन रोड, घाटकोपर(महाराष्ट्र)	विधि द्वारा प्रपेशित रीति से निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।

1	2	3	4	5
2.	महाराष्ट्र विधान सभा का साधारण निर्वाचन, 1985	34—माहिम	श्री हनुमन्त मरियप्पा बालवाडी, 159, मिरयानन्द नगर डाक्टर अम्बेडकर रोड, बम्बई—400019	विधि द्वारा अपेक्षित समय के अन्दर और रीति से निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।
3	—वही—	48—नेह्रू नगर	मस्टर सत्यानारायण, राहुल नगर (समीप इन्डस्ट्रियल) म. नं. 244, बेम्बूर रोड, बूनाभट्टी, सिबोल, बम्बई—400022	—वही—
4.	—वही—	105—सिखेड राजा	श्री जाधवों गंगाधर नामोराव, पोस्ट सवाणा, तालुक चिरवाडी, जिला बुलडाणा (महाराष्ट्र)	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
5.	—वही—	141—रामटेक	श्री सैयद कमल पठा, निवासी बनोरा, पोस्ट द्विवाडा, बाया काम्हून पिपरी, तहसील रामटेक (महाराष्ट्र)	—वही—
6.	—वही—	153—सिरोछा (म. ज. जा.)	माधवी जोगा नाईया, नागेपल्ली, पोस्ट नागेपल्ली, तहसील अहेरी, जिला गोंडविरोधी (महाराष्ट्र)	विधि द्वारा अपेक्षित समय के अन्दर और रीति से निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहे।
7.	—वही—	231—पठारडी	श्री भारत मोतीराम परवेशी, एट एण्ड पोस्ट पठारडी तालुक पठारडी, जिला अहमदनगर (महाराष्ट्र)	निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे।
8.	वही—	240—जुम्नार	श्री बबन तुकाराम नेहेर, एट एण्ड पोस्ट आले, तालुक जुम्नार (महाराष्ट्र)	—वही—
9	—वही—	258—फाल्टन	श्री सरक राखमजी घन्ना, मीरगांव, पोस्ट बाणर (एन), तालुक फाल्टन, (महाराष्ट्र)	—वही—

[सं. 76/महा. /85 वि. सं.]

आवेक से,

बलबन्त सिंह, अवर सचिव

ORDER

O.N. 86—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the people Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	Sl. No. & name of the assembly constituency	Name & address of the contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to the Maharashtra Legislative Assembly, 1985	23- Opera House	Shri Baliram D. Yadav, Shivpuri Hill No. 2, Narayan Nagar, Nari Seva Sadan Road, Ghatkoper (Maharashtra).	Failed to lodge account of election expenses in the manner required by law.
2.	—do—	34—Mahlm	Shri Hanumanth Mariaappa, Chawladi, 159, Nityanand Nagar, Dr. Ambedkar Road, Bombay-400019.	Failed to lodge account of election expenses within the time and in the manner required by law.
3.	—do—	48—Nehru Nagar	Master Satyanarayana, Rahul Nagar, (near Evhard Nagar), House No. 244, Chembur Road, Chunabhatti, Sion, Bombay-400022.	—do—
4.	—do—	105-Sindkhed Raja	Shri Jadhao Gangadhar Nagorao, At post Swana, Taluka Chikhali, District Buldana, (Maharashtra).	Failed to lodge any account of election expenses.
5.	—do—	141-Ramtak	Shri Sayed Kamal Pasha, R/o Khanora, post Hlwara, via Kanhan Pipri, Tahsil Ramtek (Maharashtra).	—do—
6.	—do—	153- Shironcha (ST)	Madhavi Joga Nanayya, At Nagopalli Post Nagopalli, Tahsil Aheri, District Cadehroli, (Maharashtra).	Failed to lodge account of election expenses within the time and in the manner required by law.
7.	—do—	231- Pathardi	Shri Bharat Motiram Pardeshi, At & post Pathardi, Taluka Pathardi District Ahmednagar (Maharashtra).	Failed to lodge any account of election expenses.
8.	—do—	240- Junnar	Shri Baban Tukaram Nehar, At & post Ale, Taluka Junnar, (Maharashtra)	—do—
9.	—do—	258-Phaltan	Shri Sarak Rakhmaji Anna, Mirgaon, Post Wathar (N), Taluka Phaltan, (Maharashtra).	—do—

[No. 76/MT/85 (LA)]

By Order,
BALWANT SINGH, Under Secy.

आवश

नई दिल्ली, 7 अप्रैल, 1986

आ. प्र. 87 :—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट बिहार राज्य से विधान सभा के संघरण निर्वाचन के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा संशोधन बनाए गए नियमों द्वारा अपेक्षित उक्त सारणी के स्तम्भ (5) में यथा उपदर्शित रूप में अपने निर्वाचन प्रयोगों से लेखा समय के अन्तर्गत और/अथवा अपेक्षित रीति से बाखिल करने में असफल रहा है।

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अथवा स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्याख्यान नहीं है;

अतः अथ, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य/संघ राज्य क्षेत्र की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करती है।

सारणी

क्रम संख्या	निर्वाचन का विवरण	विधान सभा निर्वाचन क्षेत्र की क्रम संख्या और नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम और पता	निरहुता का कारण
1	2	3	4	5
1.	बिहार विधान सभा के लिए साधारण निर्वाचन, 1985	1- धनहा	श्री अजय सिंह ग्राम-पो. रंगलसही पश्चिम बंगाल विहार	निर्वाचन व्ययों का कोई भी लेखा बाखिल नहीं किया है
2.	वही	78-मधुबनी	श्री लालनारायण राजत बड़ा बाघार, बाई नं. 5 मधुबनी (बिहार)	वही
3.	वही	94-बारिसनगर	श्री रामचन्द्र पासवान ग्राम-पो. हुंसा जिला समस्तीपुर (बिहार)	वही
4.	वही	100-रासेड़ा	श्री विनोद कुमार झा द्वारा-डा. मंगल झा, ग्राम-पो. सोनपुर जिला समस्तीपुर (बिहार)	वही
5.	वही	वही	श्री रामचन्द्र यादव, ग्राम सोनीपुर, पो. कमरकासा, जिला बरभंगा, बिहार	वही
6.	वही	वही	श्री रामलखन यादव ग्राम-पो. बंधार जिला समस्तीपुर, बिहार	वही
7.	वही	वही	श्री राम स्वामी सिंह ग्राम बजिहा, पो. कारेबन जिला समस्तीपुर, बिहार	वही
8.	वही	वही	श्री लक्ष्मी ना. सिंह, ग्राम जहांगीरपुर, टोला सरौल, पो. एरोल जिला समस्तीपुर (बिहार)	वही
9.	वही	वही	श्री श्रीकान्त लाल ग्राम बुघपुरा पो. मंगल गढ़ जिला समस्तीपुर, बिहार।	वही
10.	बिहार विधान सभा के लिए साधारण निर्वाचन, 1985	103-बलिया	श्री रामदेव राम ग्राम ब.पो. सीनीहाट बगड़िया, बिहार	वही
11.	वही	वही	श्री फुलरबं साहनी, ग्राम छिरया, पो.-एस, कमल, बेगूसराय, बिहार	वही
12.	वही	106-बरीली	श्री कोशल किशोर ग्राम नरेपुर पो. बस्तबाड़ा जिला बेगूसराय, बिहार	वही
13.	वही	107-बछवाड़ा	श्री कृष्णमन्थन चौधरी ग्राम-पो. मानीपुर जिला बेगूसराय, बिहार	वही
14.	वही	वही	श्री त्रिवेनी सिंह ग्राम पालीपीह पो. चुरामचुक्, बेगूसराय बिहार	वही

1	2	3	4	5
15.	बिहार विधान सभा के जि. साधारण निर्वाचन, 1985	108-बेरिया बरियारपुर	श्री राम लज्जन सहनी ग्राम श्रोत्रुत-गहर, पो. श्रीपुर गहर तोला गवारवाट, जिला समस्तीपुर बिहार	निर्वाचन व्ययों का कोई भी लेखा वाखिल नहीं किया है
16.	वही	109-बखरी (भ.जा.)	श्री रमेश कुमार शैलेश ग्राम व.पो. लाखो बेगूसराय (बिहार)	वही
17.	वही	वही	श्री बासदेव भोजाव ग्राम-पो. कीरिया, हेलतपुर (बिहार)	वही
18.	वही	153-शिकारीपाड़ा	श्री किसत मराण्डी ग्राम रखारेपुर पो. प्रब्रकपुर, जिला कुमका बिहार।	वही
19.	वही	156-सारठ	श्री शशी भूषन राय ग्र. मोहरा, थाना सं. 20, पो. पहाजीरिया जिला कुमा (बिहार)	वही
20.	वही	189-बण्डी	श्री प्रवध किशोर शर्मा ग्राम बेलहुं, थाना बण्डी जिला भासन्दा, बिहार	वही
21.	वही	वही	श्री धननजय कुमार ग्राम भासन्दा, बिहार	वही
22.	वही	वही	श्री कैलाश बिहारी सिंह ग्राम मौली बिघा, पो. कण्ठारिया, थाना बंडी, नालन्दा बिहार।	वही
23.	वही	वही	श्री भागीरथ प्रसाद सिंह ग्राम मिस्कीपुर पो. साघोपुर, थाना बंडी, नालन्दा बिहार।	वही
24.	वही	वही	श्री सुरेन्द्र कुमार सिंह ग्राम कमारन्ददीनगंज, बिहार शरीफ, नालन्दा बिहार।	वही
25.	वही	242-भरवल	श्री अजयेश नाथ ग्राम भत्रीगल्ला पो. सरावन, पी. एस. भरवल जिला गया (बिहार)	वही
26.	वही	वही	श्री रंज बहादुर सिंह, गुरादपुर कागाजी मोहल्ला पो. बेदघबाघ, जिला गया बिहार।	वही
27.	वही	वही	श्री लछमी सिंह ग्राम कोहाकिया पो. बारसी पी. एस. भरवल गया (बिहार)	वही
28.	वही	वही	श्री लखन राम ग्राम खपरा, पो. उत्तारो पी. एस. भरवल, गया बिहार।	वही

1	2	3	4	5
29.	बिहार विधान सभा के लिए साधारण निर्वाचन 1985	242-धनखल	श्री लालेश्वर सिंह ग्राम सरनोस्तापुर जिला गया (बिहार)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया है।
30.	वही	वही	श्री बानेश्वर प्रसाद सिंह ग्राम छाबेनी बेला मलका गंज (छोभी सीगा) पो. छाबेनी, जिला गया बिहार।	वही
31.	वही	251-इमामगंज (म. जा.)	श्री रबिन्द्र नाथ रवि ग्राम मंझौली, पो. इमरिया, जिला गया बिहार।	वही
32.	वही	वही	श्री राजेश्वर राम, ग्राम खजरिया पञ्चालय तिलैया, बाना ग्रामस, जिला गया बिहार	वही
33.	वही	254-बाराबट्टी (म. जा.)	श्री देव कुमार प्रसाद ग्राम पालाको सखी, पो. गुराह पी. एस. कोच जिला गया (बिहार)	वही
34.	वही	292-जमसेवपुर	श्री जी. एस. भार. मूर्ति डब्लू 4/7 भादित्यपुर सिहभूम, बार्हवासा (बिहार)	लेखा विधि द्वारा, उपेक्षित रीति में प्रस्तुत नहीं किया है।

[सं. 76/बिहा]

एस. डी. प्रसाद,

ORDER

New Delhi, the 7th April, 1986

O.N. 87.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the election to the Bihar Legislative Assembly as specified in column (2) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses or failed to lodge the account within the time and/or in the manner, as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure:

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State/Union Territory for a period of 3 years from the date of this Order :

TABLE

S. No.	Particulars of election	S. No. & Name of the Assembly Constituency	Name & Address of the Contesting candidate	Reason for disqualification
1	2	3	4	5
1.	General Election to Bihar Legislative Assembly, 1985.	1—Dhanaha	Shri Aja Singh, Vill. & P.O. Ranglali, West Champaran, (Bihar).	Failure to lodge an account of election expenses.
2.	—do—	78—Madhubani	Shri Lal Narayan Rawat, Bara Bazar, Ward No. 5, Madhubani (Bihar).	—do—
3.	—do—	94—Warisnagar	Shri Ramchandra Paswan, Vill. & P.O. Hansa, Distt. Samastipur, Bihar.	—do—

1	2	3	4	5
4. General Election to Bihar Legislative Assembly, 1985.	100—Roseria		Shri Vinod Kumar Jha, Vill. & P.O. Sonupaur, Distt. : Samastipur, Bihar.	Failure to lodge any account of election expenses.
5.	—do—	—do—	Shri Ram Chandra Yadav, Vill Talipur, P.O. Kamarkala, Dist. Darbhanga, Bihar.	—do—
6.	—do—	—do—	Shri Ram Swarath Singh, Vill. Bandiha, P.O. Kanyan, Distt. Samastipur, Bihar.	—do—
7.	—do—	—do—	Shri Ram Lakhan Yadav, Vill. & P.O. Bandhana, Distt. Samastipur, Bihar.	—do—
8.	—do—	—do—	Shri Laxminarayan Singh, Vill. Jahangirpur, Tola Eyanat, Distt. Samastipur, Bihar.	—do—
9.	—do—	—do—	Shri Shri Kant Lal, Vill. Dudhpura, P.O. Mangalgadh, Distt. Samastipur, Bihar.	—do—
10.	—do—	103—Balla	Shri Fuleshwar Sahni, Vill. Siraiya, P.O. Kamal, Begusarai (Bihar).	—do—
11.	—do—	—do—	Shri Ramdeo Ram, Vill. & P.O. Sonihar, Khagria (Bihar).	—do—
12.	—do—	106—Barauni	Shri Kaushal Kishore, Vill. Narepur, P.O. Bachhwara, Begusarai (Bihar).	—do—
13.	—do—	107—Bachhwara	Shri Krishna Nandan Chowdhury, Vill. & P.O. Manopur, Begusarai (Bihar).	—do—
14.	—do—	—do—	Shri Triveni Singh, Vill. Palidih, P.O. Churamanchuck, Begusarai (Bihar).	—do—
15.	—do—	108—Cheria Bariarpur	Shri Ram Lakhan Sahni, Vill. Shiripur Gahar, Tola Gudarghat, P.O. Sheripur, Distt. Samastipur, Bihar.	—do—
16.	—do—	109—Bakhri (SC)	Shri Ramesh Kumar, Shailesh, Vill. & P.O. Lakha, Begusarai (Bihar)	—do—
17.	do—	—do—	Shri Basudeo Azad, Vill. & P.O. Kariya, Habalpur, Begusarai, Bihar.	—do—
18.	do—	153—Shikaripara	Shri Kistu Marandi, Vill. Darbarpur, P.O. Gandakpur, Distt. Dumka (Bihar)	—do—
19.	—do—	156—Sarath	Shri Shashi Bhusan Roy, Vill. Gobra, Thana No. 2 , P.O. Pattajoria, Distt. Dumka (Bihar)	—do—
20.	—do—	199—Chandi	Shri Anadh Kishore Sharma, Vill. Balchhi, P.O. Chandi Nalanda (Bihar)	—do—
21.	—do—	—do—	Shri Kailash Bihari Singh, Vill. Chigha, P.O. Kachharia, P.S. Chandi Nalanda (Bihar)	—do—
22.	—do—	—do—	Shri Dhananjay Kumar, Vill. Bhaltar, Nalanda (Bihar)	—do—
23.	—do—	—do—	Shri Bhagirath Pd. Singh, Vill. Milkpur, P.O. Madhopur, P.S. Chandi, Nalanda (Bihar)	—do—

(1)	(2)	(3)	(4)	(5)
24.	General Election to Bihar Legislative Assembly, 1985.	199-Chandi	Shri Surendra Kumar Singh, Vill. Kamneddinganj, Bihar Sharif, Nalanda (Bihar)	Failure to lodge any account of election expenses.
25.	—do—	242-Arwal	Shri Jagdish Nath, Vill. Abigalla, P.O. Sarawan, P.S. Arwal, Distt. Gaya (Bihar)	—do—
26.	do—	242-Arwal	Shri Ranj Bahadur Singh, Muradpur Kagzi Mohalla, P.O. Bedrabad, Distt. Gaya (Bihar)	—do—
27.	—do—	—do—	Shri Lakshmi Singh, Vill. Kahakiya, P.O. Barsi, P. . Arwal, Gaya (Bihar)	—do—
28.	—do—	—do—	Shri Lakhan Ram, Vill. Kheyra, P.O. Osari, P.S. Arwal, Gaya (Bihar)	—do—
29.	—do—	—do—	Shri Laleswar Singh, Vill. Sarmeshwapur, Distt. Gaya, Bihar	—do—
30.	—do—	—do—	Shri Baneshwar Prasad Singh, Vill. Khaveni Kola, Malkaganj, (Dhobhi Baiga), P.O. Khaveni, Distt. Gaya (Bihar)	—do—
31.	—do—	251-Imamganj (SC)	Shri Ravinder Nath Ravi, Vill. Manjholi, P.O. Dumriya, Distt. Gaya (Bihar)	—do—
32.	—do—	251-Imamganj (SC)	Shri Rajendra Ram, Vill. Khajaria, P.O. Tilaya, P.S. Amas, Distt. Gaya (Bihar)	—do—
33.	—do—	254-Barachatti (SC)	Shri Dev Kumar Prasad, Vill. Palanki Sakhi, P.O. Guraru, P.S. Konch, Distt. Gaya (Bihar)	—do—
34.	—do—	292-Jamshedpur	Shri G.S.R. Murti, W 4/7 Adityapur, Singhbhum (Bihar)	Failure to lodge the account in the manner required by law.

[No. BR—LA,85]

By Order,

S. D. PERSHAD, Under Secy.

आदेश

प्र. अ. 88:—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपरिष्ठित रूप में अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है,

और उक्त अभ्यर्थियों ने सम्पर्क सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण अवका स्पष्टीकरण नहीं दिया है या उसके द्वारा दिए गए अभ्यावेदन पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्यापकित्य नहीं है,

प्रतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्ति को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस अधिनियम की तारीख से तीन वर्ष की कालावधि के लिए निरक्षित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विशेषियां	सभा निर्वाचन क्षेत्र की क्र. सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरक्षता का कारण
(1)	(2)	(3)	(4)	(5)
1.	मध्य प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985	18-भुरार सभा निर्वाचन-क्षेत्र	श्री कैलाश नारायण, पत्रकार, निवासी पारखजी का बाड़ा, लखर (म. प्र.)	कोई भी लेखा दाखिल नहीं किया
2.	—वही—	19-गिर्द सभा निर्वाचन क्षेत्र	श्री शरवान झा, ग्राम व पोस्ट बरई, जिला - ग्वालियर (म. प्र.)	—वही—

1	2	3	5	5
3.	मध्य प्रदेश विधान सभा के साधारण निर्वाचन, 1985	19-गिर्द सभा निर्वाचन क्षेत्र	श्री दीपक, बामोर गाँव, जिला-सुरेता (म. प्र.)	कोई भी लेखा वाखिल नहीं किया
4.	-वही-	-वही-	श्री राकेज प्रचल, दम मंदिर के सामने, कम्पू रोड, लखनऊ, ग्वालियर (म. प्र.)	-वही-
5.	-वही-	20-इबरा सभा निर्वाचन क्षेत्र	श्री कल्ला आदिवासी घोबटवाले, ग्राम घोबट, डाक इबरीकली, नरसील भितरवार (म. प्र.)	-वही-
6.	-वही-	-वही-	श्री जगराम, ग्राम केरुजा, परगना भितरवार (म. प्र.)	-वही-
7.	-वही-	-वही-	श्री धनीराम सिंह, ग्राम अगवरा, पोस्ट-भितोरा, परगना-मोहद (म. प्र.)	-वही-
8.	-वही-	-वही-	श्री बालकृष्ण, ग्राम व पोस्ट भिमरिया, परगना-इबरा (म. प्र.)	-वही-
9.	-वही-	-वही-	श्री सुमेर सिंह, ग्राम चक गोरीनगर, पोस्ट बागवई (म. प्र.)	-वही-
10.	-वही-	22-सेषडा (अ. जा.)	श्री राम प्रसाद, ग्राम व पोस्ट-बरेट, नरसील मेवडा, जिला-दनिया (म. प्र.)	-वही-
11.	-वही-	सिए 23-दनिया सभा निर्वाचन क्षेत्र	श्री जगदीश, ग्राम व पोस्ट कामद, नरसील दनिया, जिला-दनिया (म. प्र.)	-वही-
12.	-वही-	48-बिजावर सभा निर्वाचन-क्षेत्र	श्री बाबूलाल खौरसिया, ग्राम व पोस्ट पनागर, जिला छतरपुर (म. प्र.)	-वही-
13.	-वही-	-वही-	श्री मातादीन अहीरवार, ग्राम कालापानी, पो. नंभगाव, नर. छतरपुर, (मध्य प्रदेश)	-वही-
14.	-वही-	49-छतरपुर सभा निर्वाचन-क्षेत्र	श्री मुन्ना खाँ, मानवामा मुहल्ला, वार्ड नं. 6, छतरपुर (म. प्र.)	-वही-
15.	-वही-	-वही-	श्री रविन्द्र कुमार, मह. सम्पादक दैनिक कलेश, 18, हाउसिंग बोर्ड कालोनी, छतरपुर (म. प्र.)	-वही-
16.	-वही-	-वही-	श्री स्वराज प्रहमद, वार्ड नं. 12, मन्तानशाह मार्ग, छतरपुर (म. प्र.)	-वही-
17.	-वही-	50-महाराजपुर (अ. जा.) सभा निर्वाचन क्षेत्र	श्री अजोड्या प्रसाद, सिगरवन खूँद, पो. नौगांव, (म. प्र.)	-वही-
18.	-वही-	-वही-	श्री हरीराम, वार्ड नं. 12, नौगांव, पो. नौगांव, नरसील-नौगांव, जिला छतरपुर (म. प्र.)	-वही-

[सं. 76/म. प्र. - बि. प्र.-/85(2)]

ORDER

O.N. 88.—Whereas the Election Commission is satisfied that each of the contesting candidates specified in column (4) of the Table below at the General Election to the Madhya Pradesh Vidhan Sabha, 1985 as specified in column (3) and held from the constituency specified in column (3) against his name has failed to lodge an account of his election expenses as shown in column (5) of the said Table as required by the Representation of the People Act, 1951 and the rules made thereunder;

And whereas the said candidates have either not furnished

any reason or explanation for the said failure even after due notice or the Election Commission, after considering the representation made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this Order :

TABLE

S. No.	Particulars of election	Sl. No. and Name of constituency	Name and address of the contesting candidate	Reason of disqualification
(1)	(2)	(3)	(4)	(5)
1.	General Election to the Madhya Pradesh Vidhan Sabha, 1985	18—Morar	Shri Kailash Narain Patrakar, Resident—Parkhji ka bada, Lashkar (M.P.)	Failed to lodge any account of election expenses.
2.	—do—	19—Gird	Shri Arvan Khan, Vill. & Post Barai, Distt. Gwalior (M.P.)	—do—
3.	—do—	—do—	Shri Deepak, Bamor Vill., Distt. Morena, (M.P.)	—do—
4.	—do—	—do—	Shri Rakesh Achal, Datt Mandir ke Samne, Kampu Road, Lashkar, Gwalior (M.P.)	—do—
5.	—do—	20—Dabra	Shri Kalla Aadiwasi Dhoyatwale, Vill. Dhovar, Post. Davrikalan, Teh. Bhitarwar (M.P.)	—do—
6.]	—do—	—do—	Shri Jag Ram, Vill. Kerua, Pargana Bhitarwar (M.P.)	—do—
7.]	—do—	—do—	Shri Dhaniram Singh, Vill. Agthara, Post. Chitora, Pargana—Gohad (M.P.)	—do—
8.]	—do—	—do—	Shri Balkrishan, Vill. & Post Simriya, Pargana—Dabra (M.P.)	—do—
9.	—do—	—do—	Shri Summer Singh, Vill. Chak Gandhipur, Post. Bagwai (M.P.)	—do—
10.	—do—	22—Seondha (SC)	Shri Ram Prasad, Vill & Post Thret, Teh. Seondha, Distt. Datia (M.P.)	—do—
11.	—do—	23—Datia	Shri Jagdish, Vill. & Post. Kamad, Teh. Datia, Distt. Datia (M.P.)	—do—
12.	—do—	48—Bijawar	Shri Babulal Chaurasia, Vill. & Post. Panagar, Distt. Chhattarpur, (M.P.)	—do—
13.	—do—	—do—	Shri Matadin Ahirwar, Vill. Kalapani, Post. Nandgay, Teh. Chhattarpur (M.P.)	—do—
14.	—do—	49—Chhatarpur	Shri Muana Khan, Matwana Muhalla, Ward No. 6, Chhatarpur (M.P.)	—do—
15.	—do—	—do—	Shri Ravinder Kumar, Sah Sampadak Dainik Karttavya, 18, Housing Board Colony, Chhatarpur (M.P.)	—do—
16.	—do—	—do—	Shri Swaraj Ahmad, Ward No. 12, Mastanbah Marg, Chhatarpur (M.P.)	—do—
17.	—do—	50—Maharajpur (SC)	Shri Ajodhya Prasad, Singarwankhurd, Post. Naugaon, (M.P.)	—do—
18.	—do—	—do—	Shri Hari Ram, Ward No. 12, Naugaon, Post Naugaon, Distt. Chhattarpur (M.P.)	—do—

अवधि

आ. अ. 89:—निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट लोक सभा के लिए साधारण निर्वाचन, 1984 के लिए ओ स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन लड़ने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तदधीन बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपरिस्थित रूप में अपने निर्वाचन व्ययों का लेखा दाखिल करने में असफल रहा है,

और उक्त अभ्यर्थियों ने सम्यक् सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रस्तुत नहीं किया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्याख्यान नहीं है,

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस प्रादेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विशिष्टियाँ	निर्वाचन क्षेत्र की क्रम सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरहेता का कारण
1	2	3	4	5
1.	लोक सभा के लिए साधारण निर्वाचन 1984	1—टीहरी गढ़वाल	श्री पीयूष नारायण डनियाल, ग्राम सकलाना, पो. जरगांव, जिला टीहरी गढ़वाल (उ. प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।
2.	—वही—	—वही—	श्री सत्ये सिंह रावल, ग्राम व पो. अलेक, पट्टी जुवा, जिला टीहरी गढ़वाल (उ. प्र.)	—वही—
3.	—वही—	5—बिजनौर (भ. जा.)	श्रीमती जयश्री, प्रा. व पो. टंडामईराम, जिला बिजनौर, (उ. प्र.)	—वही—
4.	—वही—	7—भोरादाबाद	श्री अफसर, ग्राम फलोला, पो. क्षीदवाली, जिला मुरादाबाद (उ. प्र.)	—वही—
5.	—वही—	—वही—	श्री विजयपाल, हरथाला ग्राम सोनकपुर, जिला मुरादाबाद, (उ. प्र.)	—वही—
6.	—वही—	9—संभल संसदीय	श्री संग्राम सिंह, ग्राम बुधापुर, पो. मुतेहटा बाहजोई, जिला मुरादाबाद (उ. प्र.)	—वही—
7.	—वही—	11—आंवला	श्री किशोरी लाल, 37-मो. साहूकारा, उजाहानी, बदायु (उ. प्र.)	निर्वाचन व्ययों का लेखा अपेक्षित समय के अन्दर दाखिल नहीं किया।
8.	—वही—	13—पीलीभीत	श्री छोटेलाल, मो. खेड़ा न्योरिया, हुसैनपुरा, जिला पीलीभीत (उत्तर प्रदेश)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।
9.	—वही—	13—पीलीभीत	श्री रामदत्त सिंह, ग्राम कलरोला, पो. नियुनीराम, जिला-पीलीभीत (उ. प्र.)	—वही—
10.	—वही—	—वही—	श्री रामशूल हुसैन, मो. धनीर खां, जिला पीलीभीत (उ. प्र.)	—वही—
11.	—वही—	14—शाहजहांपुर	श्री जगवीर मो. महाजनान जलालाबाद पो. जलालाबाद, जिला शाहजहांपुर, (उ. प्र.)	—वही—
12.	—वही—	—वही—	श्री श्याम किशोर, मो. मुजफ्फरगंज, शाहजहांपुर (उ. प्र.)	—वही—
13.	—वही—	15—खीरो	श्री अन्नालाल प्रार्थ, मो. मोरंगाबाद, लखीमपुर खीरो (उ. प्र.)	—वही—
14.	—वही—	19—हरदोई (भ. जा.)	श्री रामनाथ, ग्राम परसापुर, पो. खान्डी, जिला हरदोई (उ. प्र.)	—वही—
15.	—वही—	—वही—	श्रीमती विमला देवी, 540, बालूहोक, जिला हरदोई (उ. प्र.)	निर्वाचन व्ययों का लेखा समय के अन्दर अपेक्षित रीति से दाखिल नहीं किया।
16.	—वही—	22—उन्नाव	श्री गोकुल नाथ, 161/1, मोती नगर, उन्नाव (उ. प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।

1	2	3	4	5
17.	लोक सभा के लिए साधारण निर्वाचन, 1984	22-उन्नाव	श्री राजकुमार, ग्राम बिशनपुर, पो. जमरौली, जिला उन्नाव (उ. प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
18.	—वही—	25-भमेठी	श्री घण्य बनुबेदी, 29, कले स्वयंवर, कबीर मार्ग, लखनऊ (उ. प्र.)	—वही—
19	—वही—	—वही—	श्री उम. शंकर ग्राम नरबहनपुर, पो. रामगंज, जिला सुलतानपुर (उ. प्र.)	—वही—
20	—वही—	—वही—	श्री कलिकादीन, ग्राम भीरोपुर, पो. विशेषरगंज (भमेठी) जिला सुलतानपुर (उ. प्र.)	—वही—
21	—वही—	—वही—	श्री शारदा, ग्राम गोरखपुर, पो. विशेषरगंज (भमेठी) (उ. प्र.)	—वही—
22	—वही—	—वही—	श्री महादेव, ग्राम सोईया, पो. रामगंज, जिला सुलतानपुर (उ. प्र.)	—वही—
23	—वही—	—वही—	श्री. यादव, रायपुर कुलधारी, पो. भमेठी, जिला सुलतानपुर (उ. प्र.)	—वही—
24	—वही—	—वही—	श्री भगवत राम, भा. व पोस्ट कल्यानपुर जिला सुलतानपुर (उ. प्र.)	—वही—
25	—वही—	—वही—	श्री रामदास, ग्राम पुरेनाथन लोनियापुर, पो. भमेठी, जिला सुलतानपुर (उ. प्र.)	—वही—
26	—वही—	—वही—	श्री लाल बहादुर, ग्राम पाण्डेयपुर, जंगल रामपुर पो. जंगल रामपुर जिला सुलतानपुर (उत्तर प्रदेश)	—वही—
27	—वही—	—वही—	श्री शमीर अहमद ग्राम घासकोल, पो. घंटाकोल, जिला सुलतानपुर (उ. प्र. प्रदेश)	—वही—
28	—वही—	—वही—	श्री सन्तराम, ग्राम मालया, पो. बहवा, जिला सुलतानपुर (म. जा.)	—वही—
29	—वही—	37-बांसगांव (म. जा.)	श्री स्वामी नाथ, ग्राम गजरनरसिंह, पो. महाराष्ट्र, जिला गोरखपुर (उत्तर प्रदेश)	निर्वाचन व्ययों का लेखा समय के अन्दर व अपेक्षित रीति से दाखिल नहीं किया
30	—वही—	40-पट्टीना	श्री सुजात घली अफें भुजाधत घली ग्राम व पोस्ट कोहरगढ़ी जिला देवरिया (उ. प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
31	—वही—	41-देवरिया	श्री फागू ग्राम व पोस्ट पत्थरहाट, जिला देवरिया (उ. प्र.)	निर्वाचन व्ययों का लेखा अपेक्षित समय के अन्दर दाखिल नहीं किया
32	—वही—	42-सले मण्ड	श्री अहम सिह, ग्राम बारडोह कलपत पो. बारडोह परसुराम जिला देवरिया (उ. प्र.)	निर्वाचन व्ययों का लेखा अपेक्षित रीति से दाखिल नहीं किया
33	—वही—	—वही—	श्री मोहन राजभर, मा. व पा. बार, जिला देवरिया (उ. प्र.)	निर्वाचन व्ययों का लेखा अपेक्षित समय के अन्दर व रीति से दाखिल नहीं किया।
34	—वही—	51-ध दोली	श्री विमोही नाथ, ग्राम कुशियर, पो. बाबूरी जिला वाराणसी, (उत्तर प्रदेश)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
35	—वही—	—वही—	श्री लल्लन सिंह, ग्राम साईकोट, पो. लौड़ा (बन्वोली) जिला वाराणसी (उत्तर प्रदेश)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
36	—वही—	—वही—	श्री सागीर, मकान नं. एस.-7/78, मोलभर, वाराणसी, (उत्तर प्रदेश)	—वही—

1	2	3	4	5
37. लोक सभा के लिए साधारण निर्वाचन, 1984	51—बन्दी	श्री मन्दी प्रसाद, म न एच. 9/151 नयी बस्ती, कैन्ट वाराणसी (उ.प्र.)	निर्वाचन व्ययों का कोई लेखा दाखिल नहीं किया।	
38. —वही—	52—वाराणसी	श्री विलास कुमार, डा. 39/190 बंगाली टोला, वाराणसी (उत्तर प्रदेश)	—वही—	
39. —वही—	—वही—	श्री प्रमोद चन्द्र, के. 60/28, सिद्धा-माला की गली, वाराणसी, (उ.प्र.)	—वही—	
40. —वही—	—वही—	श्री शिवचरण, बी 13/152, सोनारपुरा वाराणसी (ज. प्र.)	—वही—	
41. —वही—	—वही—	श्री शङ्कर, ग्राम टिकारी, पो. नईपुरा जिला वाराणसी (ज.प्र.)	—वही—	
42. —वही—	55—कूलपुर	श्री कन्हैयालाल पटेल, 98 मधवापुर, पुराना बैरहाना इलाहाबाद (ज.प्र.)	—वही—	
43. —वही—	55—कूलपुर	श्री जगदीश नारायण शुक्ला 19, तासकत मार्ग, इलाहाबाद (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया	
44. —वही—	—वही—	श्री देवराज, ग्राम व पो. टोकारी, जिला इलाहाबाद (उ.प्र.)	—वही—	
45. —वही—	—वही—	श्री राजकुमार मिश्रा, ग्राम गोहवा मालापुर, पो. सोराबो, जिला इलाहाबाद (ज.प्र.)	—वही—	
46. —वही—	56—इलाहाबाद	श्री उमाशंकर राम मामियारी, अमदवायल इलाहाबाद (उ.प्र.)	—वही—	
47. —वही—	—वही—	श्री जहूर अहमद, 66 कटरा इलाहाबाद (उत्तर प्रदेश)	—वही—	
48. —वही—	—वही—	श्री प्रेम चन्द्र, 25 बड़ा बघोड़ा, पो. सेलियारगंज इलाहाबाद (उ.प्र.)	—वही—	
49. —वही—	—वही—	श्री राजेन्द्र मोहन वर्मा, 136—ए, बकारगंज, फतेहपुर (उ.प्र.)	—वही—	
50. —वही—	—वही—	श्री रामचरण उर्फ, धार सी पाण्डेय मसहूँ, ग्राम पूराबल्लू, पो. इब्रा, जसारा, जिला इलाहाबाद (ज. प्र.)	—वही—	
51. —वही—	—वही—	सुबेदार एस. पी. शर्मा, 47/53, पुराना कटरा, इलाहाबाद (ज.प्र.)	निर्वाचन व्ययों का लेखा समय के अन्दर व अपेक्षित रीति से दाखिल नहीं किया।	
52. —वही—	64—बिल्हीर	श्री इब्राहीम लोदी, 123, मीरपुर, कानपुर (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा समय पर दाखिल नहीं किया।	
53. —वही—	—वही—	श्री भोम प्रकाश, ग्राम मलगऊ, पो. महेरा जिला कानपुर देहात (उत्तर प्रदेश)	—वही—	
54. —वही—	—वही—	श्री गोपी कृष्ण, 3/112, विष्णुपुरी, कानपुर (उ.प्र.)	—वही—	
55. —वही—	58—फतेहपुर	श्री कुलवीर सिंह, 109/101, नेहरू नगर, कानपुर 12 (उत्तर प्रदेश)	निर्वाचन व्ययों का लेखा अपेक्षित रीति से दाखिल नहीं किया	
56. —वही—	—वही—	श्री अर्जुन सिंह, ग्राम व पो. गाह, जिला फतेहपुर (उ.प्र.)	निर्वाचन व्ययों का लेखा समय के अन्दर व अपेक्षित रीति से दाखिल नहीं किया।	
57. —वही—	68—फरखाबाद	श्री महावीर प्रसाद डा. अम्बेदेकर नगर कादरी रोड, फरखाबाद (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।	

2	3	4	5
58. लोक सभा के लिए साधारण निर्वाचन, 1984	68-फर्रुखाबाद	श्री मोहन लाल, ग्राम भारत नगर, पो. मझाना, जिला फर्रुखाबाद (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया।
59. -वही-	-वही-	श्री राम स्वरूप, ग्राम विजयपुर, पो. मदनपुर, जिला फर्रुखाबाद (उ.प्र.)	वही
60. -वही-	69-मैनपुरी	श्री संतोष सिंह चौहान ग्राम लडपुर बघौली, पो. नौगांव, जिला मैनपुरी (उ.प्र.)	वही
61. -वही-	69-मैनपुरी	श्री जितेश सिंह ग्राम मल्लिखानपुर पो० ओ०, जिला मैनपुरी उ०प्र०	निर्वाचन व्ययों का लेखा समय के अन्दर अपेक्षित रीति से दाखिल नहीं किया
62. -वही-	-वही-	श्री गजेश सिंह 160 कटरा सहैब खां, ईटाबा उ०प्र०	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
63. -वही-	76-अलीगढ़	श्री जवाहर लाल, बंसल मार्केट, जी.टी. रोड, अलीगढ़ (उ.प्र.)	निर्वाचन व्ययों का लेखा समय के अन्दर अपेक्षित रीति से दाखिल नहीं किया।
64. -वही-	-वही-	श्री धर्मवीर, नगला पदम, अलीगढ़ (उ.प्र.)	-वही-
65. -वही-	81-बागपत	श्री ओम प्रकाश, 413, भगवतपुरा, मेरठ (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
66. -वही-	-वही-	श्री बट्ट, ग्राम ब.पो. फासभपुर खेरी, जिला मेरठ (उ.प्र.)	-वही-
67. -वही-	-वही-	श्री महावीर, ग्राम ब.पो. बपरसी फिस्ट, जिला मेरठ (उ.प्र.)	-वही-
68. -वही-	-वही-	श्री मणि, ग्राम ब.पो. जोहरी, जिला मेरठ (उ.प्र.)	-वही-
69. -वही-	-वही-	श्री राजाराम भाटो, तिगड़ी, जे.जे. कालोनी मार्केट, ई. ब्लाक, दिल्ली।	-वही-
70. -वही-	-वही-	श्री सोहनपाल सिंह, ग्राम अहमद नगर, पो. रतौल, जिला मेरठ, (उ.प्र.)	-वही-
71. -वही-	82-मुजफ्फरनगर	श्री ईश्वर, ग्राम इलमासपुर, पो. नईमरडी, मुजफ्फर नगर (उ.प्र.)	-वही-

1	2	3	4	5
72.	लोक सभा के लिए साधारण निर्वाचन, 1984	84-सहारनपुर संसदीय निर्वाचन क्षेत्र	श्री. फाज्वा सिंह, ग्राम अर्गुपुर, तह. देवबन्द, जिला सहारनपुर (उ.प्र.)	निर्वाचन व्ययों का कोई भी लेखा दाखिल नहीं किया
73.	-वही-	-वही-	मो. फुरकान, ग्राम फनेहुलापुर उर्फ तेलपुरा, पो. बिहारोगढ़, जिला सहारनपुर (उ.प्र.)	-वही-
74.	-वही-	-वही-	श्री. होशियार सिंह, मो. नुमाईश कैंप, बाल्मीकी कालोनी, सहारनपुर (उ.प्र.)	-वही-
75.	-वही-	85-हरिद्वार (अ.जा.)	श्री. पल्लू राम, 43, चमुरन खालसा, मंगलौर, जिला सहारनपुर (उ.प्र.)	-वही-
76.	-वही-	-वही-	श्री. मदनपाल बाल्मीकी बस्ती, पो. कनखल, जिला सहारनपुर (उ.प्र.)	-वही-
77.	-वही-	-वही-	श्री. राधेश्याम सिंह, 140, शिवपुरा कनखल हरिद्वार जिला सहारनपुर (उ.प्र.)	-वही-
78.	-वही-	-वही-	श्री. सोम प्रकाश, ग्राम व पोस्ट बहादुराबाद, जिला सहारनपुर (उ.प्र.)	-वही-

[सं. 76/30 प्र. लो. सं./85(4)]

ORDER

O.N. 89 —Whereas the Election Commission is satisfied that each of the contesting candidate specified in column (4) of the Table below at the General election to the Lok Sabha, 1984 as specified in column (2) held from the constituency specified in column (3) against his name has failed to lodge the account of his election expenses as shown in Column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, Whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission or after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, Therefore, in pursuance of section 10A of the Said Act, the Election Commission hereby declared the person specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S. No.	Particulars of Election	S. No. & Name of Constituency	Name and address of the Contesting Candidate	Reason of disqualification
1	2	3	4	5
1.	General Election to Lok Sabha, 1984	1—Tehri Garhwal	Shri Pius Narayan Uniyal, Vill. Saklana, P.O. Jadgaon, Distt. Tehri Garhwal (U.P.)	Failed to lodge any Account of election expenses.
—do—	—do—	—do—	Sh. Satye Singh Rawat, Vill. & Post Aleru Patti Juwa, Distt. Tehri Garhwal (U.P.)	—do—

1	2	3	4	5
3.	General Election to Lok Sabha, 1984,	5—Bijnor (SC)	Smt. Jay Wati, Vill. & Post Tandamaidas, Distt. Bijnor (U.P.)	Failed to lodge any account of election expenses.
4.	—do—	7—Moradabad	Shri Afsar, Vill. Polola, Post Didawji, Distt. Moradabad, (U.P.)	—do—
5.	—do—	—do—	Shri Vijay Pal Marthala, Vill. Sonakpur, Distt. Moradabad, (U.P.)	—do—
6.	—do—	9—Sambhal	Shri Sangram Singh, Vill. Dudhapur, Post. Mutehta, Bohjoi, Distt. Moradabad, (U.P.)	—do—
7.	—do—	11—Aonla	Shri Kishori Lal, 37—Moh. Sahukara Ujahani, Badauan (U.P.)	Failed to lodge the account within time and manner.
8.	—do—	13—Pilibhit	Shri Chhotey Lal, Moh. Kheda Neoriyan Hussainpur, Distt. Pilibhit (U.P.)	Failed to lodge any account of election expenses.
9.	—do—	—do—	Shri Ram Dutt Singh, Vill. Kalrola, Post. Thiunidam, Dist. Pilibhit, (U.P.)	—do—
10.	—do—	—do—	Shri Shamshul Hussain, Moh. Vashir Khan, Dist. Pilibhit (U.P.)	—do—
11.	—do—	14—Shahjahanpur	Shri Jagvir, Moh. Mahajanan, Jalalabad, Post. Jalalabad, Distt. Shahjahanpur (U.P.)	—do—
12.	—do—	—do—	Shri Shyam Kishore, Moh. Muzaffarganj, Shahjahanpur, (U.P.)	—do—
13.	—do—	15—Khiri	Shri Chandra Bhal Arya, Moh. Monrangabad Lakhimpur, Khiri (U.P.)	—do—
14.	—do—	19—Hardoi (SC)	Shri Ram Nath, Vill. Paraspur, Post. Khandi, Dist. Hardoi (U.P.)	—do—
15.	—do—	—do—	Smt. Vimla Devi, 540, Aludhok, Dist. Hardoi (U.P.)	Failed to lodge the account within time and manner.
16.	—do—	22—Unnao	Shri Gokaram Nath, 161/1, Moti Nagar, Unnao (U.P.)	Failed to lodge any account of election expenses.
17.	—do—	—do—	Shri Raj Kumar, Vill. Bishanpur, Post. Jamrauli, Dist. Unnao (U.P.)	—do—
18.	—do—	25—Amethi	Shri Ajay Chaturvedi, 29, Clay Square, Kabir Marg, Lucknow (U.P.)	—do—
19.	—do—	—do—	Shri Uma Shankar, Vill. Narbahanpur, Post Ramganj, Dist. Sultanpur (U.P.)	—do—
20.	—do—	—do—	Shri Kalika Din, Vill. Bhairopur, Post Vishesarganj, (Amethi), Dist. Sultanpur (U.P.)	—do—
21.	—do—	—do—	Shri Jhallar, Vill. Gorakhpur, Post. Vishesarganj (Amethi), Dist. Sultanpur (U.P.)	—do—
22.	—do—	—do—	Shri Mahadev, Vill. Sainya, Post Ramganj, Dist. Sultanpur, (U.P.)	—do—

1	2	3	4	5
23.	General Election to Lok Sabha, 1984.	25-Amethi	Mohd. Yaqub, Raspur Phulwari, Post. Amethi, Dist. Sultanpur (U.P.)	Failed to lodge any account of election expenses.
24.	-do-	-do-	Shri Mangroo Ram, Vill. & Post Kalyanpur, Dist. Sultanpur (U.P.)	-do-
25.	-do-	-do-	Shri Ram Das, Vill. Purnathan Loniapur, Post Amethi, Dist. Sultanpur (U.P.)	-do-
26.	-do-	-do-	Shri Lal Bahadur, Vill. Pandeyapur, Jungl: Ramnagar, Post Jungl: Ramnagar, Dist. Sultanpur (U.P.)	-do-
27.	-do-	-do-	Sh. Shamim Ahmed, Vill. Amkol, Post Angnakol, Dist. Sultanpur (U.P.)	-do-
28.	-do-	-do-	Shri Sant Ram, Vill. Malva, Post Vaihda, Dist. Sultanpur (U.P.)	-do-
29.	-do-	37-Bansgaon(SC)	Shri Swaminath, Vill. Gajarnar Singh Post Mahrao, Dist. Gorakhpur (U.P.)	Failed to lodge the account within time and manner.
30.	-do-	40-padrana	Shri Sujat Ali, alias Sujat Ali, Vill & Post Kohargaddi, Dist. Deoria (U.P.)	Failed to lodge any account of election expenses.
31.	-do-	41-Deoria	Shri Phagu, Vill & Post Patharhat, Dist. Deoria (U.P.)	Failed to lodge the account within time.
32.	-do-	42-Salampur	Shri Brahm Singh, Vill. Vardih Dalpat, Post Vardih Parshuram, Dist. Deoria (U.P.)	Failed to lodge the account in manner.
33.	-do-	-do-	Shri Mohan Rajbhar, Moh. & Post Lar, Dist. Deoria (U.P.)	Failed to lodge the account within time and manner.
34.	-do-	51-Chandauli	Shri Bhiyogi Nath, Vill. Kurthiya, Post Baburi, Dist. Varanasi (U.P.)	Failed to lodge any account of election expenses.
35.	-do-	51-Chandauli	Shri Lallan Singh, Vill. Naikot, Post Laonda (Chandauli) Dist. Varanasi (U.P.)	Failed to lodge any account of election expenses.
36.	-do-	-do-	Shri Sagir, H.No. 5-77-78, Golghar, Varanasi (U.P.)	-do-
37.	-do-	-do-	Shri Saddri Prasad, H.No. S-9/151, Naibasti, Cantt Varanasi (U.P.)	-do-
38.	-do-	52-Varanasi	Shri Dilip Kumar, D.39/190, Bangallola, Varanasi (U.P.)	-do-
39.	-do-	-do-	Shri Pramod Chandra, K-60/28, Sidhmata Ki Gall, Varanasi (U.P.)	-do-

1	2	3	4	5
39.	General Election to Lok Sabha, 1984.	-do-	Shri Shiv Charan, B-13/155, Sorenpura, Varanasi (U.P.)	Failed to lodge any account of election expenses.
41.	-do-	-do-	Shri Shatrughan, Vill. Tikari, Post Naipura, Dist. Varanasi (U.P.)	-do-
42.	-do-	55-Phulpur	Sh. Kanhaiya Lal Patel, 93, Madhwapur, Purana Bairhana, Allahabad (U.P.)	-do-
43.	-do-	-do-	Shri Jagdish Narayan Shukla, 17, Taskant Marg, Allahabad (U.P.)	-do-
44.	-do-	-do-	Shri Dev Raj, Vill & Post Tokro, Dist. Allahabad (U.P.)	-do-
45.	-do-	-do-	Shri Raj Kumar Mishra, Vill. Godwa, Malapur, Post Sorao, Dist. Allahabad (U.P.)	-do-
46.	-do-	56-Allahabad	Shri Uma Shanker, Village Masiyari Amad Chayal, Allahabad (U.P.)	-do-
47.	-do-	-do-	Shri Zahoor Ahmed, 66, Katra, Allahabad (U.P.)	-do-
48.	-do-	-do-	Shri Prem Chandra, 25, Bada Badhada, Post Telisrajanj, Allahabad (U.P.)	-do-
49.	-do-	-do-	Shri Rajendra Mohan Verma, 136-A, Bakaraganj, Fatehpur (U.P.)	-do-
50.	-do-	-do-	Sh. Ram Charan alias R.C. Pandey "Mashahi" Vill. Purve Idur, Post Dubha Jasara, Distt. Allahabad (U.P.)	-do-
51.	-do-	-do-	Subedar S.P. Sharma, 47/53, Puranakatra, Allahabad (U.P.)	Failed to lodge the account with time and manner.
52.	-do-	64-Bilhaur	Shri Ibrahim Lodi, 123, Meerpur, Kanpur (U.P.)	Failed to lodge any account of election expenses.
53.	-do-	-do-	Shri Om Prakash, Vill. Malgau, P.O. Mahara, Dist. Kanpur Dehat (U.P.)	-do-
54.	-do-	-do-	Shri Gopi Krishna, 3/112, Vishnupuri, Kanpur (U.P.)	-do-
55.	-do-	58-Fatehpur	Shri Kuldeep Singh, 102/101, Nehru Nagar, Kanpur-12 (U.P.)	Failed to lodge the account in the manner.
56.	-do-	-do-	Shri Arjun Singh, Vill & Post Shah, Dist. Fatehpur (U.P.)	Failed to lodge the account within time and in manner.
57.	-do-	63-Farukhabad	Sh. Mahabir Prasad, Dr. Ambedkar Nagar, Kadiri Gate, Farukhabad (U.P.)	Failed to lodge any account of election expenses.

1	2	3	4	5
58.	General Election to Lok Sabha, 1984.	68-Farukhabad	Sh. Mohan Lal, Vill. Bharat Nagar, Post Majhwa, Dist. Farukhabad, (U.P.)	Failed to lodge any account of election expenses.
59.	-do-	-do-	Sh. Ram Swaroop, Vill. Gajiyapur, Post Madanpur, Dist. Farukhabad (U.P.)	-do-
60.	-do-	69-Mainpuri	Sh. Santosh Singh Chawhan, Vill. Laidpur Baghauli, Post Nougao, Dist. Mainpuri (U.P.)	-do-
61.	-do-	-do-	Shri Jitendra Singh, Vill. Malikhanpur, Post Aung, Dist. Mainpuri (U.P.)	Failed to lodge the account within time and manner.
62.	-do-	-do-	Shri Gajendra Singh, 160, Katra Sahabkhan, Etawah (U.P.)	Failed to lodge any account of election expenses.
63.	-do-	76-Aligarh	Sh. Jawahar Lal, Bausal Market, G.T. Road, Aligarh (U.P.)	Failed to lodge the account within the time and manner.
64.	-do-	-do-	Shri Dharam Vir, Nagla, Padam, Aligarh (U.P.)	-do-
65.	-do-	81-Bagpat	Shri Om Prakash, 413-Bhagwatpura, Meerut (U.P.)	Failed to lodge any account of election expenses.
66.	-do-	-do-	Shri Baidu, Vill & Post Kasampur Kheri, Dist. Meerut (U.P.)	-do-
67.	-do-	-do-	Shri Mahabir, Vill & Post Bapersi Fistt. Dist. Meerut (U.P.)	-do-
68.	-do-	-do-	Shri Mangay, Vill. & Post Johri, Dist. Meerut (U.P.)	-do-
69.	-do-	81-Bagpat	Shri Raj Ram Bhatti, Tigri, J.J., Colony, Mark t. E' Block, Delhi.	-do-
70.	-do-	-do-	Shri Sohan Pal Singh, Vill. Ahmadnagar, Post Rataul, Dist. Meerut (U.P.)	-do-
71.	-do-	83-Muzaffar Nagar	Shri Ishwar, Vill. Islampur, Post New Mandi, Muzaffar Nagar (U.P.)	-do-
72.	-do-	84-Saharanpur	Shri Pargwa Singh, S/o Sh. Bharat Singh, Vill. Alipur, Tah. Devband, Dist. Saharanpur (U.P.)	-do-
73.	-do-	-do-	Shri Md. Furkhan, S/o Shri Ahmad Rahim, Vill. Fatullahapur, alias Telepur, Post Bihari Garh, Dist. Saharanpur (U.P.)	-do-

1	2	3	4	5
74.	General Election to Lok Sabha, 1984.	81-Bagpat	Shri Hoshiyar Singh, S/o Sh. Rulha Ram, M. Numaish Camp, Balmiki Colony, Saharanpur (U.P.)	-do-
75.	-do-	85-Hardwar (SC)	Shri Pattu Ram, S/o Shri Jai Singh, 43, Chamaran Khalsa, Manglar, Dist. Saharanpur (U.P.)	-do-
76.	-do-	-do-	Shri Madan Pal, Balmiki Basti, Post Kankhal, Dist. Saharanpur (U.P.)	-do-
77.	-do-	-do-	Shri Radh y Shyam Singh, 140, Shivpura Kankhal, (Hardwar) Dist. Saharanpur (U.P.)	-do-
78.	-do-	-do-	Shri Som Prakash, Vill & Post Bahadabad, Dist. Saharanpur (U.P.)	-do-

[No. 76/UP-H.P./85-(d)]

भाषण

भा. घ. 90 — निर्वाचन आयोग का समाधान हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन-क्षेत्र से हुआ है स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन करने वाला प्रत्येक अभ्यर्थी, लोक प्रतिनिधित्व अधिनियम 1951 तथा तद्वर्तिन बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त रूप में अपने निर्वाचन व्यक्तियों का लेखा दाखिल करने में असफल रहा है,

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रयत्न स्पष्टीकरण नहीं दिया है या उनके द्वारा दिए गए अभ्यावेदनों पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उनके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्याख्यान नहीं है,

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विनिर्दिष्ट व्यक्तियों को संसद के किसी भी सदन के या किसी राज्य की विधान सभा प्रत्येक विधान परिषद के सदस्य चुने जाने और होने के लिए इस भाषण की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विशेषताएं	निर्वाचन क्षेत्र की क्रम सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरहुता का कारण
1	2	3	4	5
1.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985	1-उत्तरकाशी (घ. जा.)	श्री कुम्हान लाल, ग्राम-बड़थी, डा.-मालसो, जिला-उत्तरकाशी (उ.प्र.)	कोई भी लेखा दाखिल नहीं किया
2.	-बही-	-बही-	श्री बरफिया लाल, ग्राम-कुमोला, डा.-पुरोला, जिला-उत्तरकाशी (उ.प्र.)	-बही-
3.	-बही-	-बही-	श्रीमती सुशीला बेबी, कम्हार बाड़ा, नरेश्वर नगर, जिला-टिहरी गढ़वाल (उत्तर प्रदेश)	-बही-
4.	-बही-	2-टिहरी	श्री पीताम्बर दत्त ग्राम-परसारी पट्टी जाखणीघाट, टिहरी गढ़वाल (उ.प्र.)	लेखा-विधि द्वारा अपेक्षित रीति से दाखिल नहीं किया

1	2	3	4	5
5.	उत्तर प्रदेश विधान सभा के लिए साधारण निर्वाचन, 1985	1-उत्तर काशी (अ०जा०)	श्री सत्य नारायण, ग्राम-बमिपाला, पट्टी कमर, दिहरी-गढ़वाल (उ.प्र.)	लेखा विधि द्वारा अपेक्षित रंति से दाखिल नहीं किया
6.	वही	3-देव प्रयाग	श्री भगत सिंह ग्राम-ऊगवाल गाँव, पट्टी बड़मा, जिला-दिहरी गढ़वाल (उ.प्र.)	-वही-
7.	-वही-	-वही-	श्री लाखीराम जोशी, ग्राम-छोटी बरनी, पो. बरनी, जि. दिहरी गढ़वाल (उत्तर प्रदेश)	-वही-
8.	-वही-	-वही-	श्री पुष्पलाल शर्मा, 208, बुधबूझाला मोहल्ला बेहुराबूत (उत्तर प्रदेश)	कोई भी लेखा दाखिल नहीं किया।
9.	-वही-	11-बागेश्वरी (अ.जा.)	श्री मरता प्रसाद, ग्राम-सहली बमौरी, पो.-हल्द्वानी, जिला-नैनीताल (उ.प्र.)	-वही-
10.	-वही-	12-रानीखेत	श्री प्रयाग दत्त ग्राम बडा.-परतगाँव, तहसील रानीखेत, जिला भ्रमोडा (उ.प्र.)	-वही-
11.	-वही-	-वही-	श्री रणजीत सिंह, ग्राम-बघाणा बा.-बिलियानोला, तहसील-रानीखेत, जिला भ्रमोडा (उ.प्र.)	-वही-
12.	-वही-	13-नैनीताल	श्री बलकार, ग्राम छतपुर पुर बायक पोस्ट-मेदला कर्ला, जिला-मुराबाबाब (उ.प्र.)	-वही-
13.	-वही-	-वही-	श्री हबीबुल रहमान 'रामनगर' जिला रामनगर (उत्तर प्रदेश)	-वही-
14.	-वही-	36-बिलासपुर	श्री कैलाश, रुद्र बिलास, बीनी मील, बिलासपुर, जिला-रामपुर (उत्तर प्रदेश)	लेखा समय तथा अपेक्षित रंति से दाखिल नहीं किया।

[सं. 76/उ.प्र.वि.स./85-2]

ORDERS

O. N. 9).—Whereas the Election Commission is satisfied that each of the contesting candidate specified in column (4) of the Table below at the General election to the Uttar Pradesh Legislative Assembly, 1985 specified in column (2) held from the constituency specified in column (3) against his name has failed to lodge the account of his election expenses as shown in Column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission or after considering the representations made by them, if any, is satisfied that they have no good reason or justification for the said failure;

Now, therefore, in pursuance of Section 10 A of the said Act, the Election Commission hereby declares the persons specified in column (4) of the Table below to be disqualified for being chosen as, and for being, a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

S. No.	Particulars of Election.	S. No. & Name of Constituency	Name and address of the Contesting Candidate.	Reason of disqualification.
1	2	3	4	5
1.	General Election to U.P. Legislative Assembly 1985.	1. Uttar Kashi (SC)	Sh. Kundan Lal Vill. Barothi, P.O. Matli, Dist. Uttar Kashi (U.P.)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Barfia Lal, Vill. Kumola, P.O. Puroula, Dist. Uttar Kashi.	-do-
3.	-do-	-do-	Smt. Sushila Kumarkot, Narendra Nagar, Distt. Tehri Garwal (U.P.)	-do-
4.	-do-	2—Tehri	Shri Pitambar Datt, Vill. Parsari Patti Jakhnidhar, Distt. Tehri Garwal (U.P.)	Failed to lodge his account in the manner.
5.	-do-	-do-	Shri Satya Narain, Village—Chamiala, Patti Kamar, Distt. Tehri Garwal (U.P.)	-do-
6.	-do-	3—Deoprayag	Shri Bhagat Singh, Vill. Dangwalgaon, Patti Barma, Distt. Tehri Garwal (U.P.)	-do-
7.	-do-	-do-	Shri Lakhi Ram Joshi, Vill. Chhoti Bairani, P.O. Bairani Distt. Tehri Garwal (U.P.)	-do-
8.	-do-	-do-	Shri Purshottam Arya, 206, Chukhuwala Mohalla, Deharadun (U.P.)	Failed to lodge any account of election expenses.
9.	-do-	11—Bageshwar (SC)	Shri Mata Prasad, Vill. Talli Bamouri, P.O. Haldhani, Distt. Nainital (U.P.)	-do-
10.	-do-	12—Ranikhet	Shri Prayag Datt Vill & Post Pantgaon, Tah. Ranikhet, Almora (U.P.)	-do-
11.	-do-	-do-	Shri Ranjit Singh, Vill. Badhan, P.O. Chilianoula, Tah. Ranikhet, Almora (U.P.)	Failed to lodge any account of election expenses.
12.	-do-	13—Nainital	Shri Balkar Village Chhatarpur Nayak P. Moubalakala, Distt. Moradabad (U.P.)	-do-
13.	-do-	-do-	Shri Habibul Rahman Ramnagar, Distt. Ramnagar (U.P.)	-do-
14.	-do-	38-Bilaspur	Shri Kailash Rudrya Bilas Chini Mill, Bilaspur, Rampur (U.P.)	Failed to lodge his account within time and in the manner required by law.

[No. 76/U.P.-LA/85 (2)]

भा. भा. 91:—भारत निर्वाचन आयोग का सनाशन हो गया है कि नीचे की सारणी के स्तम्भ (2) में यथा विनिर्दिष्ट क्षेत्रों के लिए साधारण निर्वाचन 1984 के लिए जो स्तम्भ (3) में विनिर्दिष्ट निर्वाचन क्षेत्र से हुआ है, स्तम्भ (4) में उसके सामने विनिर्दिष्ट निर्वाचन करने वाला अभ्यर्था, लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्विषय बनाए गए नियमों द्वारा उक्त सारणी के स्तम्भ (5) में यथा उपर्युक्त रूप में अपने निर्वाचन व्यय का लेखा दाखिल करने में असफल रहा है।

और उक्त अभ्यर्थियों ने सम्यक सूचना दिए जाने पर भी उक्त असफलता के लिए या तो कोई कारण प्रस्तुत नहीं किया है या उसके द्वारा दिए गए अभ्यावेदन पर, यदि कोई हो, विचार करने के पश्चात् निर्वाचन आयोग का यह समाधान हो गया है कि उसके पास उक्त असफलता के लिए कोई पर्याप्त कारण या व्याख्यित नहीं है।

अतः अब, निर्वाचन आयोग उक्त अधिनियम की धारा 10-क के अनुसरण में नीचे की सारणी के स्तम्भ (4) में विभिन्न व्यक्ति को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है।

सारणी

क्रम सं.	निर्वाचन की विशेषियाँ	संसदीय निर्वाचन-क्षेत्र की क्रम सं. तथा नाम	निर्वाचन लड़ने वाले अभ्यर्थी का नाम व पता	निरहुता का कारण
1.	लोक सभा के लिए साधारण निर्वाचन, 1984	23--बालाघाट संसदीय निर्वाचन क्षेत्र	श्री हटठल बाहेरवर, ग्राम व डाक मीठा, तह. व जिला--बालाघाट, (म.प्र.)	कोई भी लेखा दाखिल नहीं किया
2.	--वही--	--वही--	श्री पयाराम बाई मं. 19, बालाघाट तह. व जिला--बालाघाट (मध्य प्रदेश)	--वही--
3.	वही	25--जबलपुर संसदीय निर्वाचन क्षेत्र	श्री ओम केशव, 465--जगतसंग, जबलपुर (म.प्र.)	वही
4.	वही	वही	श्री दशरथ लाल, 554, हनुमन्तल, जैन मंदिर के समीप, जबलपुर (म.प्र.)	वही
5.	वही	वही	श्री मारायण प्रसाद चौधरी म.सं. 1603, भाष्टलिया पुलिस चौकी के पीछे, जबलपुर (मध्य प्रदेश)	वही
6.	वही	वही	श्री बिहारी, जगमोहन बाई लम्टी, पानगेर, जबलपुर (म.प्र.)	वही
7.	वही	वही	श्री शारसिंह पटेल भवानी सिंह पटेल, ग्राम कोठरा, डाक--कोठरा सहस्राल सिवनीमलवा, जिला होंगवावा (म.प्र.)	वही
8.	वही	वही	श्री शंकरलाल शौरसिया, पान की दुकान, पिवाजी बाई कन्हेली, जिला नरसिंहपुर (म.प्र.)	लेखा विधि द्वारा अपेक्षित रीति से दाखिल नहीं किया
9.	वहीं	34--खण्ड वा संसदीय निर्वाचन क्षेत्र।	श्री मो. अशफ, मो. अशफ, म.नं. 23/1/गांधी चौक अशरफस्टूडियो बुरहानपुर (म.प्र.)	कोई भी लेखा दाखिल नहीं किया
10.	--वही	वही	श्री बाबू लाल चौधरी, माली कुवा, बरहानपुर खण्डवा (म.प्र.)	लेखा विधि द्वारा अपेक्षित रीति से दाखिल नहीं किया
11.	वही	37--इन्दौर संसदीय निर्वाचन क्षेत्र	श्री नारायण सिंह, जाबोन 449, मोहता नगर, इन्दौर, भागीरथपुरा इन्दौर (म.प्र.)	कोई भी लेखा दाखिल नहीं किया

1	2	3	4	5
12.	लोकसभा के लिए साधारण निर्वाचन 1984	37-इन्दौर संसद व निर्वाचन क्षेत्र	श्री दिलीप मेहता 120/1, ब्रिज नगर, इन्दौर (म.प्र.)	कोई भी लेखा दाखिल नहीं किया
13.	वही	वही	डा. फैज मोहम्मद भन्सारी, 45/3, नई बागड़, इन्दौर, (म.प्र.)	वही
14.	वही	वही	श्री रतन सिंह, ग्राम सोलसिवा, तहसील साबेर, (म.प्र.)	वही
15.	वही	वही	श्री राधेश्याम पाटीदार, ग्राम भगोरा, तहसील महु, जिला--इन्दौर(म.प्र.)	वही
16.	वही	वही	श्री रमेश मेन्वाला, 442/4, मन्दा नगर, इन्दौर, (म.प्र.)	लेखा विधि द्वारा संपूर्णित रिपोर्ट दाखिल नहीं किया।

[सं. 76/म. प्र. को. सं./85/(5)]

सादर,
एन० सी० जैन सचिव

ORDER

O.N. 91.—Whereas the Election Commissioner is satisfied that the contesting candidate specified in column (4) of the Table below at the General election to the Lok Sabha, 1984 as specified in column (3) against his name has failed to lodge the account of his election expenses as shown in column (5) of the said Table, as required by the Representation of the People Act, 1951 and the Rules made thereunder;

And, whereas, the said candidates have either not furnished any reason or explanation for the said failure even after due notice of the Election Commission, after considering the representation made by him, if any is satisfied that he has no good reason or justification for the said failure;

Now, therefore, in pursuance of section 10A of the said Act the Election Commission hereby declares the person specified in column (4) of the Table below to be disqualified for being chosen as, and for being a member of either House of the Parliament or of the Legislative Assembly or Legislative Council of a State for a period of 3 years from the date of this order.

TABLE

Sl. No.	Particulars of election	S.No. & Name of Constituency	Name and address of the Contesting Candidate.	Reason of disqualification
1	2	3	4	5
1.	General Election to the Lok Sabha, 1984	23—Balaghat	Shri Ithal Baheswar Vill. & Post Mouda Tah. & Distt. Balaghat (M.P.)	Failed to lodge any account of election expenses.
2.	-do-	-do-	Shri Daya Ram, Ward No.19, Balaghat, Tah. & Distt. Balaghat (M.P.)	-do-
3.	-do-	25—Jabalpur	Shri Om Keshav 465--Jonsganj, Jabalpur (M.P.)	-do-
4.	-do-	-do-	Shri Dasrath Lal, 554, Hanumantala near Jain Mandir, Jabalpur (M.P.)	-do-
5.	-do-	-do-	Shri Narain Prasad Choudhary, House No. 1603, Bhantlia behind Police chowki, Jabalpur (M.P.)	-do-

1	2	3	4	5
6.	General Election to the Lok Sabha, 1984	75-Jabalpur	Shri Bihari, Jagmohan ward Lamti Pangare, Jabalpur (M.P.)	Failure to lodge any account of election expenses.
7.	-do-	-do-	Shri Sher Singh Patel Bhaawani Singh Patel Vill. Kothra, Post. Kothara Tah. Sibnimalwa Distt. Hoshangabad (M.P.)	-do-
8.	-do-	-do-	Shri Shanker Lal Chourasya, Pan Ki Dokan, Shivaji Ward Kandell Distt. Narsinghapur (M.P.)	Account not lodge in the manner.
9.	-do-	34-Khandwa	Shri Mohd. Asif Mohd. Asraf, House No. 23/1, Gandhi Chowk, Ashraf Satdio, Barhanpur (M.P.)	Failed to lodge any account of election expenses.
10.	-do-	-do-	Shri Babu Lal Chhouthmal Mali Kuwa, Barhanpur Khandwa (M.P.)	Account not lodge in the manner required by law.
11.	-do-	37-Indore	Shri Narain Singh Jadaun, 449, Mohata Singar Indore, Bhagirathpura, Indore-(M.P.)	Failed to lodge any account of election expenses.
12.	-do-	-do-	Shri Dilip Mehta, 120/1, Drabir Nagar, Indore (M.P.)	-do-
13.	-do-	-do-	Dr. Falj Mohd. Ansari, 46/3, New Bagar, Indore.(M.P.)	-do-
14.	-do-	-do-	Shri Ratan Singh, Vill. Solsinda, Tah. Samber (M.P.)	-do-
15.	-do-	-do-	Shri Radhey Shyam Patidar, Vill. Bhora, Tah. Mahu Distt. Indore (M.P.)	-do-
16.	-do-	-do-	Shri Gandarlal, 442/4, Nanda Nagar, Indore (M.P.)	Account not lodge in the manner required by law.

[No. 76/M HP/85 (5)]

By order

S.C. JAIN, Secy.

लुधियाना, 23 अप्रैल, 1986

आ.प्र. 92.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 106 के अनुसरण में, निर्वाचन आयोग 1985 की निर्वाचन प्रक्रिया में 6 में इलाहाबाद उच्च न्यायालय (लुधियाना बेंच) के सार्वजनिक 18-11-1985 के निर्णय को एतद्वारा प्रकाशित करता है।

[मं. 82/उ.प्र.लौ.स./6/85(लुधियाना)]

New Delhi, the 23rd April, 1986

O.N. 92.—In pursuance of Section 106 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby publishes the Judgment dated 132 GI/86—5.

18-11-1985 of the High Court of Judicature at Allahabad (Lucknow Bench) in Election Petition No. 6 of 1985.

IN THE HONBLE HIGH COURT OF JUDICATURE
AT ALLAHABAD (LUCKNOW BENCH), LUCKNOW

Election Petition No. 6 of 1985

Fazlul Bari Banney, son of Sri Itifat Ahmad, r/o
Mohalla Imambara, Gonda City, Gonda Petitioner.

Versus

1. Sri Deep Narain Ban Mahanth, son of Sri Swayambar, r/o Sri Nagar, Tahsil, Post Office and Distt. Gonda.

2. Sri Krishna Nand son of Badri Narain, r/o village Pat Kuyan, Post Office Bangal, Tahsil Balampur, distt. Gonda.
3. Sri Jang Bahadur Singh, son of Sri Avadh Pal Singh, r/o villages Raghavpur Gauta, post office Bannan Jot, District Gonda.
4. Sri Panna Lal, son of Sri Mewa Lal r/o village Sheopur Bazar, post office Sheopura, distt. Gonda.
5. Sri Birendra Singh son of Sri Utri Singh, r/o Mohalla Raja, Gonda City, Gonda.
6. Sri Mahmoodul Hasan, son of Iqbal Hasan, Town & Post office Sadullah Nagar, Gonda, distt. Gonda.
7. Sri Museebat Ali, son of Sri Bagridi, r/o Tulsipur, post office Tulsipur, distt. Gonda.
8. Sri Ram Prasad son of Sri Radhika Prasad, r/o Shewnage District Gonda.
9. Sri Vishwa Nath son of Sri Bankey Lal, r/o Baluha, Balampur, distt. Gonda.
10. Sri Shanti Swaroop Shukla, son of Sri Triveni, Mohalla Pant Nagar, Gonda City, Gonda.
11. Sri Shro Narain Gupta, son of Sri Ram Balli Gonda, r/o Vishunpur, P. O. Bhagwatiganj, distt. Gonda.
12. Sri Satya Deo Singh, son of Sri Rajpati Singh, r/o Chedipurwa, Dukh Haran Nath, distt. Gonda.
13. Sri Syed Rauf, son of Sri Syed Abdul Wahab, r/o Mohalla Mewatiyan, Gonda City, Gonda.
14. Sri Hari Har Narain, son of Sri Ram Harrakh, r/o Baluha, Balampur, distt. Gonda.
15. Sri R. N. Sinha, District Magistrate, Gonda.

.....RESPONDENTS.

Election Petition under section 80/81 of the Representation of the people's Act, 1951 :

Lucknow Dated 18-11-1985

Hon'ble Parmeshwar Dayal, J.

This is an election petition, filed under Section 80-81 of the Representation of People Act, 1951.

The respondent no. 1 Sri Deep Narain Ban Mahant was declared elected as a Member of Parliament on 29-12-1984 from the 32-Balampur Lok Sabha constituency by the respondent no. 15, Sri R. N. Sinha, the District Magistrate, Gonda who was Returning Officer of the said election.

The said election was contested by respondents 2 to 14 as well as by the petitioner Fazlul Bari alias Bankey Bhai.

The petitioner Fazlul Bari challenged the validity of the election of the respondent no. 1, Sri Deep Narain Ban Mahant by means of this petition on grounds that he had secured the second highest votes in the said election. The respondent no. 1 had secured 1,28,207 votes while the petitioner had secured 1,19,551 votes. The number of total valid votes cast in the aforesaid Election was 3,97,774 and the total number of votes declared invalid was 10,410. The total number of votes polled was 4,08,184 out of which 30 votes receive by post. The respondent no; 1 had been the President of the U.P. Muslim Majlis and he contested the election as candidate of Muslim Majlis but he was treated as independent candidates since his party was not recognised as a Political party. The respondent no. 1 was the candidate of the Congress (I) 32-Balampur Lok Sabha constituency comprised of 5 Assembly segments namely; (1) 154-leusari, (2) 155-Tulsipur, (3) 156-Balampur, (4) 157-Utraula and (5) 158-Sadullanagar,

The petitioner further alleged that the respondent no. 15, Sri R. N. Sinha was posted as District Magistrate, Gonda only a couple of months before the declaration of the Parlia-

mentary elections and soon after his taking over charge at Gonda he started making efforts to improve the image of Congress (I) party for which he was helped by the Congress (I) party leaders, Sri N. D. Tewari and Sri Vishwanath Pratap Singh, with the consent of the respondent no. 1 Sri R. N. Sinha and his subordinates so manoeuvred the arrangements of the polling as well as of the counting that the prospects of the respondent no. 1 in the Election became sound. The ballot boxes were not supplied at the polling stations in sufficient number. Canvas bags and biscuits boxes of tin were used as ballot boxes with a view to replacing spurious and duplicate ballot papers in favour of the respondent no. 1. The polling had to remain suspended for a number of hours at most of the polling stations and hundreds of voters had to go back without exercising their franchise. Some time before the transit to the place of counting, the canvas bags and biscuit boxes were opened and the ballot papers were destroyed and the same were replaced by spurious and duplicate ballot papers and were kept in the ballot boxes. This is why the canvas bags and biscuit boxes were not found in the counting pandal. Had the ballot papers contained in the canvas bags and the biscuit boxes been counted they would have made the changes of the petitioner, brighter for winning the Election.

The petitioner further contended that there has been counting of invalid votes, improper rejection of the valid votes of the petitioners of which he gave details in Schedules 3 to 6, attached with the Election Petition. He alleged that the Returning Officer did not entertain the written objections made on his behalf by his agents by his agents and avoided the same by saying that he would have a right to claim re-checking. He alleged that there has been a large scale rigging in the Election and more than 20 unauthorised persons were present in the Counting Pandal and were brought there for terrorising the Counting Agents of the petitioner. According to the petitioner, the result of the Election has been materially affected on account of corrupt practices and wrongful counting. He, therefore, prayed for declaring the Election of the respondent no. 1 to be void and for declaring him as a duly elected member of the Lok Sabha after recounting of the ballot papers found valid as well as invalid.

The respondent no. 15 Sri R. N. Sinha filed a written statement alleging that he was transferred to Gonda on 23-6-1984; the canvas bags at the polling station no. 47-Mathura and 161-Mohanpur of 155-Tulsipur Assembly segment and few other were used; the allegations made against him were all malicious; two ballot boxes were supplied initially for each polling station as per directions of the Election Commission and adequate arrangements were made for extra boxes, where needed. The respondent no. 15, as never approached by Sri N. D. Tewari or Sri Vishwanath Pratap Singh about the conduct of the Election and that the petitioner's own applications moved on 28th and 29th December, 1984 indicated that the allegations made in the petition were false; and whatever has now been alleged in the petition was not alleged in those applications; and that the petition was not alleged in those applications; and that fictitious and malicious.

The respondent no. 1, Shri Deep Narain Mahant, moved Civil Misc. Application No. 43(F) of 1985 for striking off paragraphs 12 to 18 of the Election Petition on grounds that they did not set forth full particulars of the corrupt practices as contemplated by section 83 of the Representation of people Act 1951 (hereinafter to be referred to as the Act). It has further been alleged in the application that the said paragraphs 12 to 18 are vague and general and that the affidavit filed with the petition, is not properly verified.

The petitioner filed objections vide Civil Misc. Application No. 51(E) of 1985 to the effect that the application 43(F) of 1985 has been moved only to delay the proceedings of the Election petition inasmuch as before filing the present application the respondent no. 1 had moved an application for time to file written statement. The respondent no. 1 then filed a rejoinder affidavit dated 17-7-1985.

The respondent no. 1 moved another Civil Misc. Application No. 44(F) of 1985 for striking out paragraph 19 to 37 of the Election petition on grounds that they are absolu-

tely vague and do not contain a concise statement of material facts. The petitioner filed objections vide Civil Misc. Application No. 52(E) of 1985 alleging that Schedules 1 to 6 attached with the Election petition fully established the case of recounting of the ballot papers, as held in AIR 1982 SC page 1569. The petitioner filed a rejoinder affidavit dated 17-7-1985.

Civil Misc. Application No. 43(E) of 1985 has been moved with respect to the paragraphs 11 to 18 of the Election Petition on the basis that they are not in conformity with the law required under Section 83 of the Act. Section 83 of the Act reads as follow :—

"Contents of petitioner.—(1) An election Petition :—

- (a) shall contain a concise statement of the material facts on which the petitioner relies;
- (b) shall set forth full particulars of any corrupt practice that the petitioner alleges, including as full a statement as possible of the names of the parties alleged to have committed such corrupt practice and the date and place of the commission of each such practice; and
- (c) shall be signed by the petitioner and verified in the manner laid down in the Code of Civil procedure, 1908 (5 of 1908) for the verification of pleadings;

Provided that where the petitioner alleges any corrupt practice, the petition shall also be accompanied by an affidavit on the prescribed form in support of the allegation of such corrupt practice and the particulars thereof.

(2) Any schedule or annexure to the petitioner shall also be signed by the petitioner and verified in the same manner as the petition."

Thus the petitioner of an Election petition is required to give in his petition a concise statement of the material facts, full particulars of corrupt practice, if any, a full statement as far as possible of the names of the parties alleged to have committed any such corrupt practice, date and place of the commission of each such corrupt practice; and he should himself sign and verify the pleadings in the manner laid down in the Code of Civil procedure, 1908. The election petition should be accompanied by an affidavit in the prescribed form No. 25. The annexures and schedules of the petition should also be signed by the petitioner and verified in the same manner as the petition. The corrupt practices have been elaborated in section 123 of the Act as referring to; (1) Bribery, (2) undue influence, (3) an appeal on the ground of religion, race, caste, community or language or the use of symbols likewise, (3a) promotion of or attempt to promote the feelings of enmity or hatred between the different sects on the ground of religion etc. (4) publication of any statement of fact which is false or which the candidate or his agent believes to be false and which publication is made with the consent of the candidate or his election agent, (5) hiring or procuring any vehicles by the candidate or his agent or by any other person with the consent of the candidate or his agent for conveying an elector or his family members, (6) incurring or authorising expenditure in contravention of section 77 of the Act and (7) obtaining or procuring or availing or attempting to obtain or procure by a candidate or his agent or by any other person with their consent any assistance for the furtherance of the prospects of that candidate's election from gazetted officers, stipendary judges and magistrates, members of the armed forces of the Union, members of the police forces, excise officers, revenue officers and such other class of persons in the service of the Government as may be prescribed.

Under section 87 of the Act, every election petition has to be tried, as nearly as may be, in accordance with the procedure applicable under the Code of Civil Procedure, 1908 to the trial of suits. Therefore the provisions of order 6 Rule 16 and Order 7 Rule 13 of the Code of Civil Procedure apply in this case.

Order 6 Rule 16 of the Code of Civil Procedure 1908 reads as follows :—

"The court may at any stage of the proceedings order to be struck out or amended any matter in any pleading :—

- (a) which may be unnecessary, scandalous, frivolous or vexatious, or (b) which may tend to prejudice, embarrass or delay the fair trial of the suit,
- (c) which is otherwise abuse of the process of the Court."

Under 7 Rule 77 of the Code of Civil Procedure, 1908 reads as follows :—

"The plaint shall be rejected in the following cases—

- (a) where it does not disclose cause of action;
- (b) where the relief claimed is under valued, and the plaintiff on being required by the Court to correct the valuation within time to be fixed by the Court, fails to do so;
- (c) where the relief claimed is properly valued but the plaint is written upon a paper insufficiently stamped and the plaintiff, on being required by the Court to supply the requisite stamp paper within a time to be fixed by the Court, fails to do so;
- (d) where the suit appears from the statement in the plaint to be barred by any law."

In the instant petition the question of applicability of clause (a) above has been considered to the extent that if the petition does not disclose a cause of action.

The petitioner referred to section 13AA of the Representation of the People Act, 1950 which refers to the nomination of a District Election officer and who has to perform his functions as may be entrusted to him by the Election Commissioner or the Chief Electoral Officer. He then referred to section 23 to the Act and claimed that the notification was issued on 15-10-1984 by a Gazette Notification and that the process of Election started with effect from 15-10-1984. He referred to the definition of the District Election Officer and Elector and General duties assigned to the District Elections Officer in conducting elections.

It has been argued on his behalf that the provisions of section 81 of the Act do not include the provisions of section 83 of the Act. Section 81 refers to the presentation of the petition and as the definition of an 'election'. Then it has been argued on his behalf that section 86 does not include the provisions of section 83 of the Act.

The petitioner relied on the case of K. Kanaraja Nadar Vs. Kunju Thevar and others (AIR 1958 S. C. 687) in which case the word "contesting candidate" has been defined and it was held that the defect can be cured by amendment of the petition under Order 1 Rule 10, Order 6, Rule 17 and Order 23 Rule 1 C.P.C. But in the instant case, the petitioner has not sought the amendment of his pleadings. He further relied on the case of Om Prabha Jain Vs. Gian Chand and another (AIR 1959 S.C. 837) in which case, the word "trial" has been defined which point also has been discussed.

Section 86(1) of the Act lays down that the High Court shall dismiss an election petition which does not comply with the provisions of section 81 or Section 82 or Section 117 of the Act and that the dismissal of an election petition under this provision shall be deemed to be an order made under clause (a) of Section 98 of the Act. As referred to above, section 81 of the Act deals with the presentation of an election petition. Section 82 refers to the joinder of the respondents in the petition and has no application to the present case as all the contesting candidates have been joined as respondents. Section 117 refers to the deposit of the security amount which also has been deposited.

It has further been contended that the provisions of Section 83 of the Act are not included in the provisions of Section 86(1) of the Act which is a penal section requiring

admission of an election petition in case of non-compliance of the requirements of sections 81, 82 and 117 of the Act. But it was held in the case of *Mithlesh Kumar Pande Vs. Vaidya Yadav and others* (AIR 1984 SC 305) that where the copy of the petition supplied to the returned candidate contained mistakes as regards the names of the persons in the list or there was other omission of some names which have been mentioned in the election petition but not in the copy, the election petition was liable to be dismissed in limine. Section 100(1)(b) of the Act lays down that subject to the provisions of sub-section (2) if the High Court is of opinion that any corrupt practice has been committed in limine. Section 100(1)(b) of the Act lays down that other persons with the consent of the returned candidate or his election agent or that any nomination has been arbitrarily rejected or that the result of the election insofar as it concerns with the returned candidate has been materially affected (i) by the improper acceptance of any nomination, or (ii) by any corrupt practice committed in the interest of the returned candidate by an agent other than his election agent, or (iii) by the improper reception, refusal or rejection of any vote or the reception of any vote which is void, or (iv) by any non-compliance with the provisions of the Constitution or of this Act or of any rules or orders made under this Act the High Court shall declare the election of the returned candidate to be void. Section 100(2) of the Act lays down the norms where the election of the returned candidate is to be held as not void. The petitioner relied on the case of *Bhikaji Kesheo and another Vs. Brij Lal Nand Lal and others* (AIR 1955 SC 610) in which case it was held that the Tribunal should not dismiss the petition outright where particulars can be called. But it was held in the same case that the primary responsibility for furnishing full particulars of the alleged corrupt practice was on the petitioner and that there was no duty cast upon the Tribunal to direct suo moto for better particulars; and in the instant case the petitioner, on the contrary, claimed that his petitions, contents are in accordance with the provisions of section 83(1)(a), (b) and (c) of the Act. So it has to be seen in this case that if the particulars given in the petition conform to the requirements of law.

It was held in the case of *Madan Lal Vs. Zarghan Haider and others* (AIR 1958 All 596) that where corrupt practices are alleged in such vague terms that it is not possible for respondent to meet the allegations made in the petition the Tribunal is justified in striking off the pleadings contained in those paragraphs. This case was overruled in the case of *Balwan Singh Vs. Lachmi Narain and others* (AIR 1960 SC 770).

The petitioner relied on the case of *Raghubir Gill Vs. Gurcharan Singh Tohra* (AIR 1980 SC 1362) in which case it was held that in order to ensure purity of election, it is better to so constitute section 100 as to embrace within its fall all conceivable infirmities which may be urged in fighting an election. Thus the Act has to be interpreted in a way that helps to achieve the constitutional goal.

The petitioner relied on the case of *Manphool Singh vs. Surendra Singh* (AIR 1973 1973 SC 2158) in which case it was held that the charges of corrupt practice are quasi-criminal and should be proved sufficiently and that every pleading should contain only a statement in concise form of material facts on which the party pleaded relies for his claim or defence, as the case may be, but not the evidence by which they are to be proved. This provision of law is not to be disputed. But it has to be seen that if there has been compliance of provisions of section 83(1)(a) of the Act.

The petitioner further placed reliance on the case of *Roop Lal Sathi Vs. Nachhattar Singh* (AIR 1982 SC 1559) in which case the High Court directed deletion of certain paragraphs of the petition on the ground that there was no disclosure of the material facts sufficient to give rise to a case of action under section 100(1)(d)(iv) of the Act. It was held in appeal that the order passed by the High Court directing that paragraphs 4 to 18 of the election petition be struck out cannot be sustained on the terms of order 6 Rules 16 of the Code of Civil Procedure as there was no finding that the averments in the said paragraphs of the peti-

tion are either unnecessary, frivolous or vexatious on that they were such as might tend to prejudice, embarrass or delay the fair trial of the petition nor was there any finding that the averments therein were such as to constitute abuse of the process of the court. This much is clear from this citation that the provisions of order 6 Rule 16 of the Code of Civil Procedure are applicable to an election petition and that it has to be decided that if any paragraph of the petition is either necessary, frivolous or vexatious or it might tend to prejudice, embarrass or delay, the fair trial of the petition or that it constitute an abuse of the process of the court.

In the case of *Samant N. Balakrishna etc. Vs. George Fernandez and others* (AIR 1969 SC 1201) it was held that the penalty of summarily dismissal was enjoined in petitions which did not comply with the requirements and that the entire and complete case of action must be given in the petition in the shape of material facts. But it was further held in the same case that the provisions of section 83 of the Act are mandatory and that the entire and complete cause of action must be stated in the shape of material facts while the furnishing of particulars too is necessary for picture of full cause of action.

On the other hand, in the case of *Udho Singh Vs. Madhu Rao Scindia* (AIR 1976 SC 744), a distinction has been drawn between "material facts" and "material particulars" that faulty written information of same single material fact leading to single cause of action and other allegations of such a charge are liable to be struck off under Order 6 Rule 16 of the Code of Civil Procedure, and also that if the petition is based solely on those allegations which suffer from lack of material facts, the petition is liable to be summarily dismissed for want of cause of action. It was held in the case of *Arun Kumar Bose Vs. Mohd. Furqan Ansari* (1984 1 SCC 91) that allegations made against the elected candidate must be clear and specific. It was held in the case of *Daulat Ram Chauhan Vs. Anand Sharma* (1984) 2SCC 64 that allegations of corrupt practice must be strictly construed. It was held in the case of *Charan Lal Sahu Vs. Gyani Zail Singh* (1984 1 SCC 390) that pleadings must be clear and specific.

In the light of the aforesaid law, laid down with regard to the election petitions, when we examine the various paragraphs of the present election petition, it is evident that the pleadings do not conform to the required standards of the statute.

The paragraphs 1; 2, 3, 4, 5, 6, 7, 8, 9 and 10 of the petition refer to facts which are not disputed.

In paragraph 11 it has been alleged that the petitioner's position was better than the respondent no. 1 in certain constituencies. But the final result was based on the result of all the constituencies and this paragraph has been unnecessarily included although it's being part of the pleadings has not been challenged by the respondent no. 1.

Paragraph 12 refers to the posting of Sri R. N. Sinha as District Magistrate, Gonda. He was posted there on 23-6-1984 while the election of the parliament had taken place on 24-12-1984. The notification was for the first time issued on 15-10-1984 and the nomination papers were accepted on 20-11-1984. Thus it is evident that Sri R. N. Sinha was posted as District Magistrate, Gonda much before the contemplation of Election itself. Therefore there could be no motive for the leaders, Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh, and other Congress (I) leaders to get him posted at Gonda for purpose of getting furtherance of the prospects of the Election. In this paragraph it has been alleged that he started making efforts to improve the image of the Congress (I) party and he had not remained impartial. Only vague averments have been made in this paragraph as it has not been clarified or elaborated that how, when and where he made efforts to improve the image of the Congress (I) party by performing his duties as Returning Officer. In view of the definition of corrupt practice given in Section 123 of the Act, improving the image of any party is not defined to be a corrupt practice. All that Section 123(7) of the Act lays down is that of giving assistance by any of the officers, enumerated therein.

In paragraph 13 it has been alleged that the party leaders, Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh, obtained and procured the assistance of the respondent no. 15 Sri R. N. Sinha, and some of his subordinate officers with the consent of the respondent no. 1 and that the respondent no. 15 so manoeuvred the arrangement of the polling as well as of the counting for furtherance of the Election prospects of the respondent no. 1 that the same was bound to materially affect the result of the election and that the ballot boxes were not deliberately supplied sufficient number at some polling stations. Large number of voters willing to cast their votes in favour of the petitioner had to return back disappointed; that the ballot papers were kept in canvas bags or in biscuit boxes for being replaced by spurious and duplicate ballot papers and also that the respondent no. 1 and respondent no. 15 became successful in this strategy and conspiracy. It is evident from the wordings of this paragraph 13 that the alleged material facts have not been mentioned in a concise form. Even though mentioned in details, full particulars of the material facts referring to corrupt practice have not been given. It has not been mentioned that how, where, when and in what manner the leader Sri Narain Dutt Tewari and Sri Vishwanath Pratap Singh procured the assistance of the respondent no. 15 and his subordinate officers. Also it has not been mentioned that how the consent of the respondent no. 1 was obtained by them. It has not been clarified that how the respondent no. 15 manoeuvred the arrangement of the polling for furtherance of the prospects of the respondent no. 1 so as to materially affect the result of the Election. The respondent No. 1 has specifically mentioned in his written statement that the canvas bags had to be used under the directions of the Election Commission and the Chief Election Officer wherever there was shortage of ballot boxes. It was a secret voting—The use of canvas bags was not unauthorised. The position of the ballot boxes has been elaborated in Rule 29 of the Conduct of Election Rules 1961. It has not been pleaded that any other reason was approved by the Election Commission or the Chief Election Officer. The petitioner presumed that the voters in certain constituencies where ballot boxes were not supplied in sufficient number had to cast their votes in his favour, and had to return back. The voting was secret and the simply drew inference and surmises the Election was materially affected by the supply of canvas bag what strategy and conspiracy proved successful between the respondent no. 1 and the respondent no. 15, is not clarified. He inferred it only because the respondent no. 1 was declare successful in that Election. Moreover the facts, relating to the counting have been intermingled in this paragraph 1 which was meant for pleading corrupt practice. Sweeping allegations have been made involving the leaders of the party as well as respondents nos. 1 and 15. These allegations are obviously vague, vexations and unnecessary.

Paragraph 14 of the Petition is in continuation of paragraph 13 and it has been alleged that the agents workers and supporters of the petitioner had to face the situation on account of non-availability of ballot boxes after filling up of one or two ballot boxes available at those booths and that hundreds of voters had to go back without casting their votes on account of non-availability of ballot boxes, and also that for hours polling had to remain suspended. The details are given in Schedule I. The wording of this paragraph did not constitute material facts but they are argumentative in nature. The petitioner could not given exact number of the ballot boxes which were filled and the number of polling stations. He mentioned that one or two boxes were filled and some polling stations the polling had to remain suspended for hours. He did not mention as to for how many hours or for what time the polling remain suspended. He claimed that the details were supplied to him by his polling agents but he did not mention those exact details. He claimed that some letters were given by the Presiding Officer to some responsible persons of the polling centres and that some of those letters were made available to the petitioner. But it has not been mentioned that by whom and to whom those letters were given nor they have been made part of the Petition. In schedule I an estimated number of voters who had returned back without casting their votes has been given. But it is all based on imagination. Not even a name of single voter has been given might have returned back on account of non-availability of ballot boxes. So this paragraph consists

of vague allegations.

In paragraph 15 the petitioner mentioned that the canvas bags and the biscuit boxes were apparently sealed in the presence of the biscuit boxes were apparently that either before the council of the same to Thompson College, Gonda, the place reserved for their safe custody or during the course of transit, these canvas bags and biscuit boxes were opened and the ballot papers cast in favour of the petitioner and other candidates excluding the respondent no. 1, were taken out or destroyed and same were replaced by spurious and duplicate ballot papers stamped in favour of respondent no. 1 and the same were kept in proper ballot boxes and that respondent no 15 had told them that the ballot boxes had been supplied in the evening of 24-12-1984 and the ballot papers kept in the canvas bags etc. had been put into the ballot boxes in the presence of the polling agents. All these pleadings are based on conjectures. The word "apparently" shows that the canvas bags were sealed in accordance with the rules. The words "it appears" show that the petitioner or his agents had no personal or specific knowledge of the allegations made against respondent no. 15. It has not been pleaded that the use of canvas bags or biscuits boxes was not authorised. It has also not been mentioned that any seal of any ballot box was found broken. Respondent no. 15 denied in his written statement the shifting of any ballot papers from canvas bags to ballot boxes.

In paragraph 16 of the petition it has been pleaded that the voters who returned back for want of ballot boxes would have votes for the petitioner. It is based on imagination and is in continuation of paragraph 15 and both these paragraphs are evidently vague and unnecessary. The petitioner is not definite that if the ballot papers contained in the canvas bags and biscuit boxes were disturbed or they were replaced. In schedule 2 the number of ballot papers kept in a canvas bags and biscuit boxes and the number of canvas bags or biscuits bags used are given which could have no relevancy with the present petition.

The paragraph 17 is the repetition of the averments made in paragraph 14 and 15 and is unnecessary.

In paragraph 18 a reference has been made to some publication in the daily "Swatantra Bharat" of 29-12-84. There is no averment of any corrupt practice in it and this paragraph is also unnecessary.

Thus the paragraphs 12 to 18 of the Petition are either vague or unnecessary or vexatious or irrelevant.

Reference may be made to the case of Daulat Ram vs. Anand Sharma (A.I.R. 1984 S.C. 621) in which case the case of Samant N. Balkrishna vs. George Fernandez was also considered. It was held in this case that a person may, due to sympathy or on his own, support the candidature of a particular candidate but unless a close and direct nexus is proved between the act of the person and the consent given to him by the candidate or his election agent, the same would not amount to a pleading of corrupt practice as contemplated by law. The allegation of corrupt practice must be so clear and specific that the inference of corrupt practice will irresistibly admit of no doubt or qualm. It cannot be left to time, chance or conjecture for the court to draw an inference by adopting an involved process of reasoning.

The respondent No. 1 relied on the case of Hardwari Lal versus Kanwal Singh (A.I.R. 1972 S.C. 515) in which case it was held that :—

"An election petition must contain material facts and full necessary particulars of seeking assistance of Government servants for furthering election prospects of a candidate and that an election petition which does not set out material facts and particulars of corrupt practice so as to furnish a cause of action, can be dismissed by virtue of section 87, though not under section 86."

The respondent No. 1 further relied on the case of K Prabhakara Rao versus M. Seshagiri Rao and another (A.I.R. 1981 S.C. 658) in which case it was held that :—

"Where there was absolutely no allegation in the pleadings to show that at any time after having filed his nomination papers, the candidate made any efforts to seek the assistance of the Tahsildar in furthering his election prospects or in any way helping him to win the election, the allegation of corrupt practice of seeking assistance of public officers for furthering one's election prospects could not sustained for want of necessary particulars required by law."

Thus the paragraphs 12 to 18 of the election petition are liable to be struck off.

Civil misc. applicant on No. 44(E) of 1985 releases to paragraphs 19 to 37 of the Election Petition. The petitioner pleaded in these paragraph that there has been improper reception and counting of invalid votes in favour of respondent No. 1, improper rejection of valid votes of the petitioner, incorrect and wrongful counting of votes, falling down of arrow on account of seals being defective and the counting of 5200 invalid ballot papers as valid ballot papers. He referred to Schedule III. In Schedule III the ballot papers wrongly rejected are counted at 614 and the number of counting tables are given. This figure has no co-relation with the averments made in paragraphs 20 and 21 as in paragraph 20,500 ballot papers cast in favour of the petitioner are alleged to have been rejected and in paragraph 21, 5000 invalid ballot papers are alleged to have been counted for respondent No. 1. The counting agents were present at the time of counting and these allegations which have now been made in the petition are not substantiated by any authentic document, for which in the circumstances they could have moved an application at the time of counting with these specific allegations and those application could be made part of this petition. So all these allegations are based on conjectures and the appear to have been framed for the purposes of this petition. These allegations are vague and they do not make out case of recounting.

It has been mentioned in paragraph 22 that the counting agents of the petitioner repeatedly raised objections against reception, in the counting, of invalid votes as valid votes in favour of respondent No. 1 but their objections were not entertained in writing and their verbal objections were ignored by saying that they would have opportunity of those votes recounted. All this is not believable on the face of it. The counting agents of the petitioner must have been educated persons or at least literate persons were required to move applications in writing and it is not believable that they were satisfied on being assured that recounting would be done immediately after the completion of the counting. It has further been pleaded in the same paragraph that the petitioner's counting agents were not permitted to inspect closely such ballot papers about which they had raised objections and they could not note down the ballot papers number of such ballot papers but they used to note down on their respective sheets the numbers of such improperly and illegally accepted ballot papers. A reference was again made to Schedule III. This averment again shows that the counting agents of the petitioner were permitted to inspect the ballot papers and they were able to note down the numbers of such ballot papers on their respective sheets which were improperly and illegally accepted ballot paper. The contention that they could not note down stands self-contradicted. If they could not closely inspect the ballot papers, it did not mean that they could not be disclosed at it was a secret ballot. Schedule III has no relevancy as discussed above. So the allegations of this paragraph are also vague.

It has been mentioned in paragraph 23 that large number of unauthorised persons were permitted to enter the counting Pandal. Not a single name of any such unauthorised person has been mentioned in it even though it was mentioned that they posed a constant threat to the life any security to the petitioner's agents. So this paragraph is not only vague but is also vexatious and frivolous.

In paragraphs 24 and 25 the petitioner alleged that there has not been any recounting or re-checking and his agents' applications were not entertaining by the authorities and that 5000 valid votes of the petitioner were declared as invalid. Reference has been made to Schedule IV. But the columns

of Schedule II and Schedule IV are identical and they do not disclose any material point nor they create any cause of action. The counting of 5000 invalid ballot papers was pleaded in paragraph 21 also and it has been unnecessary repetition of the same contention. As discussed above, it is not believable that the written applications of the agents of the petitioner were not entertained, Rule 63 of the Conduct of Election Rules, 1961 lays down that :—

"After the completion of the counting, the Returning officer shall record in the result sheet in Form 20 the total number of votes polled by each candidates and announce the same and that after such announcement has been made, a candidate or, in his absence, his election agent or any of his counting agents may apply in writing to the Returning officer to recount the votes either wholly or, in part, stating the rounds on which he demands such recount. On such an application being made the Returning officer shall decide the matter and may allow the application in whole or in part or may reject it in toto if it appears to him to be frivolous or unreasonable and every decision of the Returning officer under sub-rule (3) shall be in writing and contain the reasons therefor. "So the pleadings of these paragraphs are also vague and unnecessary."

In paragraph 26 the petitioner alleged that no written objections of the petitioner's agents were entertained at the of the rejecting of certain ballot papers and that they were assured that there would be re-checking and also that they could not note down the number of ballot papers. A reference has been made to Schedule IV. It is again repetition of the pleadings which were raised in paragraphs 22 and 24. This paragraph is also vague and unnecessary as discussed above.

In contradiction with his other averments, the petitioner pleaded in paragraph 27 that the application of his counting agent of table No. 16 was entertained and was rejected by the returning officer. The pleadings raised in this paragraph falsify his previous pleadings and they show that the petitioner did not come with clean hands. Under Rule 63 his application would be validly rejected by the Returning Officer. As such this has also been unnecessarily introduced in this petition.

Again, in paragraph 28 it has been mentioned that an application was moved on behalf of the petitioner for recounting and for re-checking immediately after the completion of the counting of votes and that the same was entertained by the Returning Officer and even the order of re-checking was passed but actually no re-checking was done, and rather contradictory order was passed on other application moved by the petitioner resulting into illegalities and irregularities. Again the averments of this paragraph show that the petitioner had made wrong allegations in his previous paragraphs that his written objections and applications were not entertained. Further, he has not disclosed that what illegalities and irregularities were committed during the course of counting. He himself pleaded that an order was passed on his application or recounting. His contention that actually no re-checking was done is not supported by any convincing circumstances or documents. So this paragraph is frivolous.

The pleadings of paragraph 29 indicate that there has been a large scale rigging in election and there has been an improper and illegal counting. It is not understandable that there could be rigging in the counting. How there has been any illegality and improper counting is not clarified in this paragraph. It is also not mentioned that who did this rigging and illegal and improper counting. So this paragraph is also unnecessary.

There has been repetition of the averments of paragraph 23 in paragraph 30 of the petition. Since the entrance of twenty unauthorised persons has been mentioned in it, this paragraph is also unnecessary.

In paragraph 31 the petitioner alleged that the Returning officer and the Assistant Returning officers avoided to entertain the applications in writing regarding the entry of

unauthorised persons in the counting Pandal and that some of them were armed, intending Sri Anand Singh, M.P. and Sri Pujari (a known criminal). But he has not mentioned the names of other such intruders. He made a sweeping remark that he was a known criminal. He did not disclose as to what act was done by these alleged intruders and who were the Returning Officer and the Assistant Returning Officers was refused to entertain his applications. It is not believable that the authorities refused to entertain his applications. This ground has been made for the purpose of this petition and this ground has also bear unnecessarily introduced.

In paragraph 32 it has been detailed that the intruders used to intermeddle with the ballot papers for keeping the votes of other candidates in the bundle of respondent No. 1 and that about 12,000 votes of the petitioner and more than 8000 votes of other candidates were included in the votes of respondent No. 1, as shown in Schedule V. Obviously these averments refer to corrupt practice and they do not have any link with the recounting. The averments made in this paragraph are not covered by the definition of 'corrupt practice' as contemplated by sections 100 and 123 of the Act. In case there was any reference to section 123(vii) of the Act, they cannot be said to be for the purpose of furthering the prospects of the election of any candidate. At best they refer to the involvement of some officers and officials, posted on counting duties, but they do not refer to respondent No. 1. Even any name of any such officer or official has not been disclosed in it. The figures of 14800 and 8500 in schedule V have been mentioned on the basis of imagination and conjectures. So this paragraph also has been introduced unnecessarily without there being any footing for the same.

In paragraph 33 it has been alleged that the Returning Officer was not supervising the counting nor there has been any checking or re-checking of the ballot papers. It is again an averment against the Returning officer and not against respondent No. 1. Moreover, only vague allegations have been made in this paragraph without giving any specific instance that the Returning Officer evaded the performance of his duty even though his attention was drawn to the same. So the allegations made in this paragraph are also vague.

In paragraph 34 it has been mentioned that some of the counting supervisors of Tulsipur Assembly segment including Sri Bhola Pandey had reported to the Assistant Returning Officer that the counting agents of respondent No. 1 were themselves counting the votes. No name of any such counting agent has been mentioned nor it has been shown by any document that Sri Bhola Pandey had made any such report to any Assistant Returning Officer. Any name of the counting supervisor has also not been mentioned. Also it has not been mentioned that at which table such counting was being done by the counting agents of respondent no. 1. So the pleadings of this paragraphs are also vague.

In paragraph 35 the petitioner alleged that the transportation of ballot boxes had also not been done in accordance with law and that during the course of transportation large number of ballot boxes were reported to have been tampered with. The allegations are again vexatious and vague because it has not been disclosed that what sort of transportation was registered by law; and the petitioner made averments in this paragraph on the basis of some report by some persons. He had no personal knowledge and he received report from some other persons whose names also he did not disclose.

In paragraph 36 the petitioner pleaded that it was on account of insertion of serious or duplicate ballot papers in ballot boxes in large number of polling booths of almost all the five assembly constituencies that the ballot papers kept in the ballot boxes has increased or decreased and that at polling booth No. 67 of Balrampur Assembly Constituency the respondent No. 1 had secured only those hundred votes which were found to be in excess of the ballot papers used at the polling booth as mentioned in the ballot paper account. He referred to Schedule VI. It does not refer to improper relection of valid ballot papers. It is based on conjectures and inference. The Schedule shows that at some serials there has been a difference of one ballot paper and at others a difference of hundred ballot papers (as at serial No. 18) between the ballot papers used at the

polling booth and the ballot papers found in the ballot boxes. So the Schedule is not an authentic proof of the allegations made in this paragraph. Then, the insertion of spurious ballot papers could only be possible with the collusion of the officials. Therefore it is tantamount to corrupt practice and the provisions of Section 83(1)(a)(b) and of Section 123(vii) of the Act come into play. The final result sheet is prepared in form 20 in two parts and there are various columns in the same. Had the petitioner been possessed of correct figures, he would have given those figures according to the columns of form No. 20. So these pleadings are also vague and unnecessary.

The paragraph 37 of the petition refers to the case of action. Neither any cause of action has been detailed in the foregoing paragraphs nor it has been discussed in this paragraph. So it is vague. Then follow the grounds of the Election Petition which are repetition of paragraphs No. 12 to 36.

The affidavit filed along with this Petition is not in conformity with the prescribed form No. 25. It was to be inserted after the words—corrupt practice of "that what have been the corrupt practices." Then, while verifying the affidavit it has been mentioned that paragraphs 14, 15, 16, 17 and ground No. 7 were apparently true within the knowledge of the petitioner. There has not any verification regarding Schedule VI.

It is not disputed that the proceedings of election commences as soon as the Notification is issued and ends with the declaration of the results. The result is declared u/s. 66 of the Act.

The petitioner relied on Annexure 1 and 2 which were moved after the declaration of the results and there has been an order dated 29-12-84 of the Returning Officer. By means of these applications, the petitioner sought the re-checking of all the ballot papers. It has not been mentioned in these annexures and 2 that the petitioner's counting agents were not here to see the proceeding of counting. Annexure 3 is another application dated 29-12-84 praying for second wholesale counting and alleging there has been a wrong cancellation of votes. According to Rule 63(2) and (3) and Rule 56-A(3) grounds for claiming recounting should have been given. Also, in these objections and applications these allegations were not made which have been introduced in the Election Petition. All this shows that the allegations of the Election Petition have been introduced for the purposes of the petition itself.

It has been argued on behalf of the petitioner that there has been a difference of more than 3000 votes according to Schedules I to VI of the election petition and that the petitioner lost the election by 8656 votes only. But the petitioner has tried to play the jugglery of figures only which figures were based on imagination, conjectures and surmises. He could not point out any specific and definite instance in support of the figures which he gave in Schedules I to VI of the election petition.

It has further been argued on behalf of the petitioner that the objections against the corrupt practices were raised in the miscellaneous application no. 43(E) of 1985 only and that they could not be raised while arguing on civil miscellaneous application no. 44(E). But this argument has no force because this Tribunal has to look into the contents of the entire pleadings of the parties. The petitioner himself intermingled various points of recounting with the points of corrupt practice.

The respondent no. 1 relied on the case of Pritpal Singh Vs. Ranjit Rai and others, (AIR 1984 Delhi 138) in which case the petitioner's case was that Rule 56(3) was violated and it was held that since his agents had ample opportunity at the counting to note down the ballot papers which were sent to the Returning Officer, the petitioner should have given the serial number of the ballot papers, and the polling station number in relation to each ballot paper. It was further held that the allegations were vague and general and if an inspection was ordered, it would lead to a fishing enquiry with a view to find out some material to support the petitioner's case that he would have secured a larger number of votes than he actually secured. Reference to the case of Dr. Jagjit Singh Vs. Giani Kartar Singh and others (AIR 1966 S.C. 773 at page 783) was given in which the Hon'ble Supreme Court had again and again emphasised

that an election petitioner who was a defeated candidate had ample opportunity under the rules to examine the voting papers before they were counted, and, in case, the objections raised by him or his election agents, he knew *prima facie* the nature of the objections raised by him and the voting papers to which those objections related, and also that vague or general allegations that valid votes were improperly rejected, or invalid votes were improperly accepted would not serve the purpose which section 83(1) has in mind. The figure given in the cited case was considered to be a figment of the imagination of the petitioner.

The respondent further relied on the case of *S. Raghubir Singh Gill Vs. S. Gurcharan Singh Tohra and others* (AIR 1980 S.C. 1362) in which case it was held that recounting cannot be ordered just for the asking. And that a petition for recount after inspection of the ballot papers must contain an adequate statement on material facts on which the petitioner relies in support of his case and that the Tribunal must be *prima facie* satisfied that in order to decide the dispute and to do complete justice between the parties, an inspection of the ballot papers is necessary. As was held formerly also, it was further held in this case that the discretion conferred in this behalf should not be exercised in such a way so as to enable the applicant to indulge in a roving inquiry with a view to fishing out materials for declaring the election void.

In the case of *Bhabhi Vs. Sheo Govind and others* (AIR 1975 S.C. 2117), certain imperative conditions have been laid down which before the Court can order inspection of ballot papers. The petition does not fulfil these conditions, as discussed at length considering every relevant paragraph of the petition.

On the other hand, the petitioner relied on the case of *K. Venkateswara Rao Vs. Bekkam Narasimha Reddi and others* (AIR 1969 S.C. 872) in which case it was held that taint of corrupt practice attaches both to the payer and payee of illegal gratification and that necessary party must be joined with in the period of limitation. The facts of this case are not applicable to the present case.

The petitioner relied on the case of *S. Siwaswami Vs. V. Malaikannan and others* (AIR 1983 S.C. 1293) in which case it was held that a ballot paper should not be rejected if marking on ballot paper is indicative of identity of candidate for whom vote is cast. But the petitioner has not disclosed such ballot papers where the identity of the candidate for whom the vote was cast was indicated and the same was rejected. He simply made averments with a view to roving enquiry.

The petitioner relied on the case of *Arun Kumar Bose Vs. Mohd. Furkan Ansari and others* (AIR 1983 S.C. 91) in which case, the particulars of the ballot papers were not shown as they were not available during counting and it was held that pleadings set out material facts and no defect could be found with it. In the cited case, the number of wrongly rejected ballot papers was also furnished. It has not been established that the particulars of ballot papers were not available to the agents of the petitioner during counting. It was further held in this case that the returned candidate had not sought recrimination while the petitioner claimed receipt of majority of votes, and it was held that the claim of the petitioner could not be combated on ground that if remaining rejected ballot papers has been counted, petitioner would have polled majority of votes. The case cited in AIR 1982 S.C. 1959 was also considered in this case alongwith the case of *P. Malai Chaml Vs. M. Andt Ambalam and others* (AIR 1973 S.C. 2077). But the facts of the cited case are absolutely different from the instant case. The pleadings of the Election petition are not covered by the facts of the cited case. In the cited case, invalid ballot papers were rejected for want of the signatures of the polling officer. During trial, it was found that rejection of 74 ballot papers for want of the polling officer's signatures was not justified. The petitioner in that case had secured in the first round 3160 votes while the respondent no. 1 could get only 4848 and another candidate had received 1172 votes. During trial, it was held that the respondent had received he majority votes polled at the election, and the decision of the trial court was upheld in appeal with the observation that the appellant happened to be an Advocate and he was expected to know the law.

Thus, the paragraphs 11 to 18 of the petition have either been unnecessary or vague or vexatious. The paragraphs 19 to 36 contain allegations of wrong counting of votes and improper rejection of valid votes. But not a single material fact in support of these allegations has been set out. The pleading violated the provisions of section 100 (i) (d) (IV) of the Act, although the pleadings have been made with a view to show that there has been a violation of the provisions of law. This principle of law is laid down in the case of *Hari Ram Vs. Hira Singh* [1984(2) S.C. Cases 36]. These pleadings referring to the wrong counting and improper rejection of valid votes have also been vague, frivolous, vexatious or unnecessary. All these pleadings are, therefore liable to be struck down. The paragraphs 1 to 10 are statement of facts which are not sufficient to continue the Election petition. The paragraph 37 of the Election Petition does not contain the cause of action for the cause of action is disclosed in other paragraphs. On the basis of some figures which were pleaded as a result of imagination and surmises, it cannot be inferred that material facts and cause of action have been established. As such, there is nothing more in the case to be done and the case is at the stage of 'conclusion of trial' as contemplated by Section 98 of the Act. In view of the case of *Hardwari Lal Vs. Kanwar Singh* (1972 S.C. 515), an Election Petition has to be tried, as nearly as may be, in accordance with the Code of Civil Procedure, as is the spirit of section 87 of the Act, and it is likely to be dismissed like a suit which does not furnish a cause of action.

Therefore, the Civil Misc. Applications 43(3) and 44(E) are allowed while the objections vide 51(1) and 52(E) are dismissed.

The Election petition No. 6 of 1985 is dismissed with costs to the contesting respondent no. 1 which costs are assessed at Rs. 2000. The costs shall be paid out of the security money.

Substance of the judgment shall be sent forthwith to the Election Commission and the Hon'ble Speaker of the Lok Sabha, Certified copies of the judgement shall be expeditiously sent to the Election Commission in duplicate.

PARMESHVAR DAYAL
[No. 82/UP-HP/6/85(LKW) 3823]

S. C. JAIN, Secy.
Election Commission of India

गुडि-यत्र

नई दिल्ली, 21 अप्रैल, 1986

आ.प्र. 93:—मुख्य निर्वाचन अधिकारी, कर्नाटक बेंगलूर, की नियुक्ति के बारे में भारत के राजपत्र, भाग-2 खण्ड 3(iii) में प्रकाशित निर्वाचन आयोग की तारीख 27 मार्च, 1986 की अधिवृत्ता सं 154/कर्नाटक/85 में श्री जी.मुनीयप्पा आई.ए.एस.सचिव सहयोग विभाग के स्थान पर निम्नलिखित शब्द रखे जाएंगे:—

“श्री जी.मुनीयप्पा, आई.ए.एस., सचिव शिक्षा विभाग, कर्नाटक सरकार।”

[सं. 154/कर्नाटक/85]

आदेश से,

आर. पी. भल्ला, सचिव

CORRIGENDUM

New Delhi, the 21st April, 1986

O.N. 93.—In the Election Commission's Notification No. 154/KT/85, dated the 27th March, 1986 published in the Gazette of India, Part II, Section 3(iii), regarding designation/appointment of the Chief Electoral Officer, Karnataka, for the words “Shri G. Muniyappa, IAS, Secretary to Government Cooperation Department, Government of Karnataka” the following words shall be substituted:—

“Shri G. Muniyappa, IAS, Secretary to Government Education Department, Government of Karnataka.”

[No. 154/KT/85]

By Order,

R. P. BHALLA, Secy.